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COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING AND BUILDING STAFF REPORT

PLANNING COMMISSION

Promoting the wise use of land
Helping build great communities

MEETING DATE July 28, 2005	CONTACT/PHONE Brian Pedrotti 788-2788	APPLICANT Nipomo Center LLC	FILE NO. TRACT 2312 SUB2004-00091
SUBJECT Proposal by Nipomo Retail LLC for reconsideration of approved Vesting Tentative Tract Map 2312 and Conditional Use Permit to subdivide an existing 10.98 acre parcel into 59 residential parcels ranging in size from 0.03 to 0.12 acres, 10 commercial parcels ranging in size from 0.21 to 0.84 acres, each for the purpose of sale and/or development. The proposal includes 59 duplex, triplex, and fourplex residential units, and 75,868 square feet of commercial space in two phases of development. The project includes one 0.67 acre parcel for a drainage basin, and one 0.43 acre parcel for open space. The project includes off-site road improvements to Hill Street, and Grande Avenue. The proposed project will result in the disturbance of the entire 10.98-acre parcel. The purpose of the reconsideration is to modify the approved commercial uses and the lot layout. The division will create an on-site road (Frontage Road). The proposed project is within the Commercial Retail land use category and is located between Hill Street and Grande Avenue, west of Highway 101 in the community of Nipomo. The site is in the South County (Inland) planning area.			
RECOMMENDED ACTION 1. Consider and rely on the Negative Declaration that was previously adopted on original adoption date. 2. Approve Vesting Tentative Tract 2312 and Conditional Use Permit based on the findings listed in Exhibits A and C and the conditions listed in Exhibits B and D.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator finds that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.			
LAND USE CATEGORY Commercial Retail	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 092-130-054, -055, -057, -058	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Sec. 22.112.020 – South County Areawide Standards. Circulation, transit-oriented development. Sec. 22.112.080 – Nipomo Urban Area Standards, communitywide. Connection to sewer. Sec. 22.112.080.C.1 – Commercial Retail, Central Business District. <i>Does the project conform to the Planning Area Standards – Yes, see discussion</i>			
LAND USE ORDINANCE STANDARDS: Ch. 22.10 – Development Standards (Lighting, fencing, screening, density, setbacks) Ch. 22.16 – Landscaping Ch. 22.18 – Parking Sec. 22.22.060 – Commercial Retail Subdivision Design			
EXISTING USES: Vacant			
SURROUNDING LAND USE CATEGORIES AND USES: North: Commercial Retail / gym, parking lot South: Residential Multi-Family / residences East: South Frontage Road, Highway 101 West: Commercial Retail / residence			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Group, Public Works, Environmental Health, Ag Commissioner, County Parks, CDF, Nipomo Community Services District, APCD, Cal Trans	
TOPOGRAPHY: Nearly level to gently sloping	VEGETATION: Grasses, forbs
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: CDF	ACCEPTANCE DATE: April 15, 2005

ORDINANCE COMPLIANCE:

Minimum Parcel Size and Development Standards

22.22.090 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Commercial and Office land use categories. The standards are based on the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 6,000 square-foot parcels. The density of residential units must be in compliance with Planning Area Standards and Section 22.10.130 for Residential Multi-Family projects. Sections 22.10, 16, and 18 of the Land Use Ordinance establishes Development Standards. The proposed Tract Map and Conditional Use Permit meets all requirements as follows:

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Density	4.09 acres @ 38 units/acre (155 units)	59 units
Maximum Floor Area	115,804 (65%)	72,547 square feet (41%)
Minimum Open Area	1.64 acres (40%)	2.05 acres (50%)
Setbacks Front Side Rear	May be set by map with minimum of 10 feet between all structures	Minimum of 10 feet between all structures; Front, Side, Rear - Variable, minimum 5 feet
Height	45 feet	Approx. 40 feet
Parking	Commercial - 329 spaces Residential 118 spaces Total (w/o reduction) 447 spaces Total (w/ reduction) 364 spaces	Commercial - 236 spaces Residential 128 spaces Total 364 spaces
Landscaping	Landscaping Plan required	Preliminary landscaping plan provided
Fencing/Screening	Fencing/Screening Plan required	Preliminary fencing/screening plan provided

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

BACKGROUND: In 2000, the Planning Commission approved a Tentative Tract Map and Development Plan for a mixed-use project that included 44 residential units and 154,000 square feet of commercial and office space, three restaurants, motel, and a movie theater. The applicant has received four one-year time extensions, and the final extension is set to expire in January 2006. The applicant re-submitted this revised Tentative Tract Map and Conditional Use Permit in consultation with County staff to address numerous design issues and circulation concerns for the Nipomo area. Specifically, the applicant has included major revisions to the site circulation to realign South Frontage Road through the center of the project and help complete the overall circulation system for the Nipomo area.

PROJECT DESCRIPTION / SITE DESIGN:

The proposed project is a reconsideration of an approved Vesting Tentative Tract Map 2312 to subdivide an existing 10.98 acre parcel into 59 residential parcels ranging in size from 0.03 to 0.12 acres, 10 commercial parcels ranging in size from 0.21 to 0.84 acres. The proposal includes 59 duplex, triplex, and fourplex residential units, and 75,868 square feet of commercial space in two phases of development. The project includes one 0.67 acre parcel for a drainage basin, and one 0.43 acre parcel for open space. Development is proposed on either side of the realigned South Frontage Road, with retail space, office space, and two restaurants on the east side against Highway 101, and retail space, office space, a mini-mart gas station, and 59 residential units around a central court on the west side. Buildings are proposed along the street frontage, with parking areas to the rear and side. The architectural style of the project is a mix of Victorian and Craftsman style, with Victorian elements on the residential units.

Residential Parking/Garages

The applicant has proposed the residential portion of the development with 128 uncovered outdoor parking spaces arranged in a series around of among outdoor parking driveways. Staff is concerned with the absence of garages proposed for the residential units due to the visual impacts associated with a high number of vehicles and the lack of potential storage space for each unit. The project is a planned development, with each unit proposed for separate ownership by individual property owners. The proposed parking lot is more typically associated with an apartment-type housing arrangement whereby units are not owner-occupied, and storage space is often provided either individually or in a central storage unit. Staff discussed this concern with the applicant's representative during the early stages of review of this project layout. During that discussion staff was told that to keep the units affordable, garages were not included.

Staff believes this to be a significant site planning and unit design consideration and have has included conditions of approval to address these concerns. Staff's primary preference is for the proposed project to include garages in individual units. If your Commission believes that this is not appropriate this is not or feasible, staff has included a condition that individual or central

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storage units be provided for the benefit of future residents. To lessen the visual impact on future residents of the high amount of outdoor parking, staff has included a condition to include trellis elements with vine landscaping over at least 50% of the proposed outdoor parking spaces.

Phased Development

The applicant has proposed two phases of development for the project. The first phase includes commercial buildings A and E on the west side of South Frontage Road, and buildings D, F, G, and H on the east side. Phase I also includes 39 residential units along Grande Avenue. The applicant proposes Phase II to include the remaining commercial buildings of B, C, I, J and K, and the remaining 20 residential units on the west boundary of the property.

PLANNING AREA STANDARDS:

The project site is located within the Nipomo Urban Area. The applicant worked closely with staff to provide revisions to the original project to meet site planning and design objectives. The proposed development satisfies all applicable Planning Area Standards, density, intensity, and site planning criteria as outlined below. The project includes public right-of-way dedications and pedestrian pathways, and includes conditions addressing traffic noise. The project will also be connected to the NCSD sewer.

<u>Planning Area Standard</u>	<u>Allowed/Required</u>	<u>Complies?</u>
Right-of-way dedication	For public streets, pathways, bicycles	Yes, dedications shown
Traffic noise mitigation	Mitigation based on location, layout, berms, structural measures	Yes, as conditioned
Sewer connection	Community sewer required	Yes, will connect to NCSD

COMMUNITY ADVISORY GROUP COMMENTS: The Nipomo Community Advisory Council heard the item at their September 27, 2004 meeting and recommended to support the project and use the previous traffic data to support a traffic study.

AGENCY REVIEW:

Public Works – Recommend approval with conditions, including redesign of certain lots and phasing plan.

Environmental Health – Applicant has provided preliminary evidence of water and sewer.

County Parks – Require payment of applicable Building fees and Quimby fees.

CDF – See letter with conditions dated November 8, 2004.

Nipomo Community Services District – Project has a “will-serve” letter. Proposed changes do not substantially change conditions of “will-serve”.

APCD – Conditions for construction phase emissions, demolition, naturally-occurring asbestos, operational phase emissions. Includes gasoline dispensing facility permit.

Cal Trans – Recommends several improvements to area roadways, recommends accelerating fee payments, full set of stormwater calculations.

LEGAL LOT STATUS:

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The four lots were legally created by a recorded map at a time when that was a legal method of creating lots.

FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator finds that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Commercial Retail land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of commercial, office, and multi-family residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support commercial, office, and multi-family residential development.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no rare, endangered or sensitive species are present; and mitigation measures for air quality, archaeological resources, and transportation/circulation are required.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

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EXHIBIT B

CONDITIONS OF APPROVAL FOR TR 2312

Approved Project

1. Reconsideration of approved Vesting Tentative Tract Map 2312 to subdivide an existing 10.98 acre parcel into 59 residential parcels ranging in size from 0.03 to 0.12 acres, 10 commercial parcels ranging in size from 0.21 to 0.84 acres, each for the purpose of sale and/or development. The proposal includes 59 duplex, triplex, and fourplex residential units, and 75,868 square feet of commercial space. The project includes one 0.67 acre parcel for a drainage basin, and one 0.43 acre parcel for open space. The project includes off-site road improvements to Hill Street, and Grande Avenue. The proposed project will result in the disturbance of the entire 10.98-acre parcel. The purpose of the reconsideration is to modify the approved commercial uses and the lot layout.

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:
 - a. Frontage Road constructed to an A-2 section within a foot dedicated right-of-way. On-street parking shall not be permitted on Frontage Road. A transit "turn-out" shall be provided on each side of Frontage Road, in a location to be approved by the Regional Transit Authority.
 - b. Hill Street and Grande Avenue widened to complete an A-2 section fronting the property, with detached sidewalks and a minimum 8-foot width parkway.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
 - a. For road widening purposes, the additional right-of-way needed along Hill Street and Grande Avenue, to contain the road improvements shown on the Tentative Map.
 - b. A 20 foot radius property line return at the intersection of all streets
4. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

5. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).

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- c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
6. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
7. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
8. **Prior to issuance of construction permits**, the following notes shall be shown on grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to site disturbance.
- a. Reduce the amount of disturbed area where possible.
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
 - c. All dirt stock-pile areas should be sprayed daily as needed;
 - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
 - e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established;
 - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
 - g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
 - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
 - i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
 - j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.

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- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
9. **Prior to construction permit issuance**, a geologic investigation will be prepared and then submitted to the county to determine the presence of naturally-occurring asbestos. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; 2) an "Asbestos Health and Safety Program", as determined necessary by APCD.
10. **Prior to issuance of construction permits**, the applicant shall include the following elements in the final design of the project:
 - a. Provide on-site bicycle parking as close as practical to door openings at all buildings. One bicycle parking space for every 10 car parking spaces is considered appropriate.
 - b. Provide on-site banking (ATM) and postal services.
 - c. Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
 - d. Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
 - e. Use sodium parking lot and street lights.
11. **Prior to approval of subdivision improvements plans or grading permits**, the applicant shall submit an archaeological monitoring plan, for review and approval by the Environmental Coordinator. The desired monitoring effort would be considered a low to moderate level.
12. **Prior to issuance of construction permits**, the applicant shall submit an air quality mitigation plan to the Department of Planning and Building and APCD. The plan shall show how all applicable standard and discretionary measures listed in the APCD letter dated September 23, 2004 have been fulfilled.

Drainage

13. Submit complete drainage calculations to the Department of Public Works for review and approval.
14. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
15. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

Utilities

16. Electric and telephone lines shall be installed underground.
17. Cable T.V. conduits shall be installed in the street.
18. Gas lines shall be installed.

Design

19. The lots shall be numbered in sequence.
20. The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

Vector Control and Solid Waste

21. A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

22. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.

Parks and Recreation (Quimby) Fees

23. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

24. **Prior to filing the final parcel or tract map**, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Additional Map Sheet

25. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
 - b. **Prior to issuance of construction permits**, the following notes shall be shown on grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to site disturbance.
 - i. Reduce the amount of disturbed area where possible.
 - ii. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
 - iii. All dirt stock-pile areas should be sprayed daily as needed;
 - iv. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
 - v. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established;
 - vi. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
 - vii. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
 - viii. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
 - ix. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
 - x. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
 - xi. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
 - c. **Prior to issuance of construction permits**, the applicant shall include the following elements in the final design of the project:
 - i. Provide on-site bicycle parking as close as practical to door openings at all buildings. One bicycle parking space for every 10 car parking spaces is considered appropriate.
 - ii. Provide on-site banking (ATM) and postal services.

- iii. Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
 - iv. Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
 - v. Use sodium parking lot and street lights.
- d. **Prior to construction permit issuance**, a geologic investigation will be prepared and then submitted to the county to determine the presence of naturally-occurring asbestos. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; 2) an "Asbestos Health and Safety Program", as determined necessary by APCD.
- e. To avoid incompatibilities with residential uses (complaints from odors and/or dust), no nail salons, dry-cleaners, coffee roasters, furniture refurbishing/refinishing or similar uses may occur in buildings with residential units.
- f. **Prior to issuance of building permits, in the instance wood burning stoves are proposed**, the applicant shall submit building plans showing the use of APCD-approved wood burning devices limited to the following:
- i. All EPA-Certified Phase II wood burning devices;
 - ii. Catalytic wood burning devices that emit less than or equal to 4.1 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
 - iii. Non-catalytic wood burning devices that limit less than or equal to 7.5 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
 - iv. Pellet-fueled woodheaters, and;
 - v. Dedicated gas-fired fireplaces.
- g. **Prior to issuance of construction permits**, the applicant shall submit an air quality mitigation plan to the Department of Planning and Building and APCD. The plan shall show how all applicable standard and discretionary measures listed in the APCD letter dated September 23, 2004 have been fulfilled.
- h. **Prior to approval of grading permits**, the applicant shall submit an archaeological monitoring plan, for review and approval by the Environmental Coordinator. The desired monitoring effort would be considered a low to moderate level.
- i. **During construction activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor earth disturbing activities on the subject property. If any archaeological resources are found during monitoring work shall stop within 150 feet of the resource until such time as the resource can be evaluated by an archaeologist. The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator. Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first, the consulting archaeologist shall submit a letter to

the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

- j. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - i. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- k. **At the time of application for construction permits**, the applicant shall show the following on the project plans. Prior to final inspection, the applicant shall provide certification to the county, from an engineer qualified in noise analysis, that the project incorporates the following for all office and residential buildings:
 - i. The structure is provided with air conditioning or mechanical ventilation.
 - ii. All exterior doors are solid core with perimeter weather stripping and threshold seals.
 - iii. All fresh air inlets or exhaust vents located on the Highway 101 side of the structure incorporate sound attenuation and noise baffling.
 - iv. Glass in both windows and doors in all rooms on the Highway 101 side of the structure does not exceed 20% of the floor area of the room.
 - v. Exterior walls consist of stucco or brick veneer, or wood siding with a ½" minimum thickness fiberboard (i.e. soundboard) underlayer is used.
- l. **Prior to final inspection or occupancy**, whichever occurs first, the applicant shall provide certification from an engineer qualified in noise analysis that a noise level of 45 dbA or less can be maintained inside the structure with the windows and doors closed (when buildout of [ID noise source] is considered). In the event the acceptable noise level is not reached, additional measures shall be installed, as directed by the acoustical expert, to the extent that the acceptable noise level is achieved. The applicant shall provide to the county written verification by the acoustical expert that acceptable levels have been achieved.

Covenants, Conditions and Restrictions

- 26. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
 - a. On-going maintenance of drainage basin and adjacent landscaping in a viable condition on a continuing basis into perpetuity.
 - b. Maintenance of common areas.

- c. Maintenance of all local streets within the subdivision until acceptance by a public agency.
- d. **During construction activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor earth disturbing activities on the subject property. If any archaeological resources are found during monitoring work shall stop within 150 feet of the resource until such time as the resource can be evaluated by an archaeologist. The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator. Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first, the consulting archaeologist shall submit a letter to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.
- e. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - i. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- m. **At the time of application for construction permits**, the applicant shall show the following on the project plans. Prior to final inspection, the applicant shall provide certification to the county, from an engineer qualified in noise analysis, that the project incorporates the following for all office and residential buildings:
 - i. The structure is provided with air conditioning or mechanical ventilation.
 - ii. All exterior doors are solid core with perimeter weather stripping and threshold seals. All fresh air inlets or exhaust vents located on the Highway 101 side of the structure incorporate sound attenuation and noise baffling.
 - iii. Glass in both windows and doors in all rooms on the Highway 101 side of the structure does not exceed 20% of the floor area of the room.
 - iv. Exterior walls consist of stucco or brick veneer, or wood siding with a ½" minimum thickness fiberboard (i.e. soundboard) underlayer is used.
- n. **Prior to final inspection or occupancy**, whichever occurs first, the applicant shall provide certification from an engineer qualified in noise analysis that a noise level of 45 dbA or less can be maintained inside the structure with the windows and doors closed (when buildout of [ID noise source] is considered). In the event the acceptable noise level is not reached, additional measures shall be installed, as directed by the acoustical expert, to the extent that the acceptable noise level is achieved. The applicant shall provide to the county written verification by the acoustical expert that acceptable levels have been achieved.

Miscellaneous

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27. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
28. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
29. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

FINDINGS - EXHIBIT C

Conditional Use Permit SUB2004-00091 (Nipomo Center, LLC)

Environmental Determination

- A. The Environmental Coordinator finds that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the commercial, office, and residential development does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because commercial, office, and residential development is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on South Frontage Road, Hill Street, and Grande Avenue, which are collector roads constructed to a level able to handle any additional traffic associated with the project

Residential in Commercial Retail or Office and Professional land use categories

- G. The proposed use will not significantly reduce the community inventory of office / commercial property available to satisfy the commercial needs of the population envisioned by the Land Use Element of the General Plan, because the residential development is subordinate to the primary commercial and office use.
- H. The proposed use will not impede the continuing orderly development of community shopping areas with commercial and office uses, because the use will contribute to and enhance the community shopping and office opportunities of the community.

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EXHIBIT D - CONDITIONS OF APPROVAL

Conditional Use Permit SUB2004-00091 (Nipomo Center, LLC)

Approved Development

1. This approval authorizes
 - a. a reconsideration of approved Vesting Tentative Tract Map 2312 to subdivide an existing 10.98 acre parcel into 59 residential parcels ranging in size from 0.03 to 0.12 acres, 10 commercial parcels ranging in size from 0.21 to 0.84 acres, each for the purpose of sale and/or development. The proposal includes 59 duplex, triplex, and fourplex residential units, and 75,868 square feet of commercial space. The project includes one 0.67 acre parcel for a drainage basin, and one 0.43 acre parcel for open space. The project includes off-site road improvements to Hill Street, and Grande Avenue. The proposed project will result in the disturbance of the entire 10.98-acre parcel. The purpose of the reconsideration is to modify the approved commercial uses and the lot layout. The division will create an on-site road (Frontage Road).
 - b. maximum height is 45 from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits**, submit a revised site plan, floor plans, architectural elevations, and landscape plan to the Department of Planning and Building for review and approval. The revised plans shall indicate the following and development shall be consistent with this revised and approved plan:
 - a. Provision of two-car garages in individual units and appropriate re-design of the site layout to accommodate the garages, **or**;
 - b. Provision of individual storage areas in each unit with an area of at least 64 square feet, **or**;
 - c. Provision of a central storage unit on the site to provide equivalent storage area for all units on the site.

AND

 - d. If two-car garages in individual units are not provided, the applicant shall provide a revised plan showing wood trellis elements over at least 50% of the outdoor parking spaces. Plantings of fast-growing vines shall be provided to cover the wood trellis elements.
3. **At the time of application for construction permits**, submit a revised site plan, floor plans, architectural elevations, and landscape plan to the Department of Planning and Building for review and approval. The revised plans shall indicate the following and development shall be consistent with this revised and approved plan:
4. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that

neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

5. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated November 8, 2005.

Services

6. **At the time of application for construction permits**, the applicant shall provide a letter from Nipomo Community Services District stating they are willing and able to service the property.
7. At the time of application for construction permits, the applicant shall submit a comprehensive sign plan for the project to the Department of Planning and Building and Department of Public Works for review and approval. The sign plan will need to ensure placement of all signs provides for adequate sight distance for all driveways.

Conditions to be completed prior to issuance of a construction permit

Fees

7. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

8. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
9. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
10. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

11. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work

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progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

12. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

STANDARD CONDITIONS OF APPROVAL FOR
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.

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12. Prior to submission of the map “checkprints” to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

Staff report prepared by Brian Pedrotti
and reviewed by Kami Griffin

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COUNTY OF SAN LUIS OBISPO
NOTICE OF DETERMINATION AND
NEGATIVE DECLARATION

For Official Use Only (ew)

ENVIRONMENTAL DETERMINATION NO. ED98-571

DATE: OCTOBER 22, 1999

PROJECT DESCRIPTION

APPLICANT/ENTITLEMENT: Mager/King Ventures Tract Map and Development Plan; TR98-2312/S980065U

PLANNING AREA: South County - Inland, Nipomo

LAND USE CATEGORY: Commercial Retail

PARCEL SIZE: 10.75 acres

NUMBER AND SIZE OF PROPOSED PARCELS: 12 parcels ranging from 0.14 to 5.60 acres each

TOTAL AREA OF STRUCTURES: Approximately 134,027 square feet

LOCATION: On the west side of Frontage Road, immediately north of Grande Avenue, in the community of Nipomo

PROPOSED USES/INTENT: A request to: 1) subdivide a 10.75-acre parcel into 12 parcels, ranging from 0.14 to 5.60 acres each, for the sale and/or development of each proposed parcel; and 2) construct a 134,027-square-foot, mixed-use center with retail, 3 restaurants, movie theater, 30-unit motel and a 44-unit rental apartment complex

APPLICANT: King Ventures; San Luis Obispo, CA

ENVIRONMENTAL SETTING

TOPOGRAPHY:

Gently to moderately sloping

VEGETATION:

Grasses; forbs; ornamentals

SOIL TYPE:

Oceano sand

SOIL CHARACTERISTICS:

Well drained; low erodibility; low shrink-swell potential

GEOLOGIC HAZARDS:

Negligible landslide potential; low to moderate liquefaction potential

FIRE HAZARD:

Moderate

WATER:

To be provided by Nipomo Community Services District

SEWAGE DISPOSAL:

To be provided by Nipomo Community Services District

EXISTING USES:

Undeveloped

SURROUNDING USES:

Multi- and single-family residences; commercial uses; undeveloped

ADDITIONAL INFORMATION

Additional information pertaining to this environmental determination may be obtained by contacting the Department of Planning and Building - Environmental Division, County Government Center, Room 310, San Luis Obispo, CA 93408-2040, (805) 781-5600.

STATEMENT OF FINDINGS

The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Sections 21108, 21151 & 21167) is proposed.

ACTION TAKEN

On _____ 19____, the San Luis Obispo County Board of Supervisors/Planning Commission/Staff, having considered the Environmental Coordinator's action, approved/denied this project.

A copy of the Negative Declaration is available for review from the San Luis Obispo County Clerk, 1144 Monterey Street, Suite A, San Luis Obispo, CA 93408-2040.

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California Department of Fish and Game

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

PROJECT TITLE & NUMBER: Mager / King Ventures Tract Map & Development Plan; TR2312 (S9800654)Project Applicant

Name: King Ventures; San Luis Obispo
Address: 290 Pismo St
City, State, Zip Code: SLO CA 93401
Phone #: (805) 544-4444

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- () The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- (✓) The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- () The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. _____
- () Other: _____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Eric M. Wier
for Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: 10-22-99

COUNTY OF SAN LUIS OBISPO

INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Mager / King Ventures Tract Map & Devel. Plan; 5980065U

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project. Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

Initial Study Reference and Agency Contacts: The following reference materials are used in the environmental review for each project and are hereby incorporated by reference into the Initial Study.

- Project File for the Subject Application
- County General Plan (Inland & Coastal, including all maps & elements)
- County Land Use Ordinance
- Area of Critical Concerns Map
- Fire Hazard Severity Map
- Natural Species Diversity Database
- Areas of Special Biological Importance Map
- Archaeological Resources Map
- Natural Resources Conservation Service Soil Survey for SLO County
- Flood Hazard Maps
- Airport Land Use Plans
- Other special studies, reports and existing EIRs as appropriate

In addition to the above, the County Planning or Environmental Division have contacted responsible and trustee agencies for their comments on the proposed project. With respect to the subject application, the following agencies have been contacted (marked with an "X") or have responded (marked with "XX"):

- | | |
|--|--|
| <input checked="" type="checkbox"/> County Engineering Department | <input type="checkbox"/> CA Department of Fish and Game |
| <input type="checkbox"/> County Environmental Health Division | <input checked="" type="checkbox"/> CA Department of Forestry |
| <input type="checkbox"/> County Planning Division | <input type="checkbox"/> CA Department of Transportation |
| <input type="checkbox"/> County Agricultural Commissioner's Office | <input type="checkbox"/> Regional Water Quality Control Board |
| <input type="checkbox"/> County Airport Manager | <input type="checkbox"/> CA Coastal Commission |
| <input type="checkbox"/> Airport Land Use Commission | <input checked="" type="checkbox"/> <u>Nipomo</u> Community Service District |
| <input checked="" type="checkbox"/> Air Pollution Control District | <input checked="" type="checkbox"/> Other <u>County Parks Division</u> |
| <input type="checkbox"/> County Sheriff's Department | |

Checklist Identification of Mitigations for Potential Impacts: The checklist provides the identification and summary of the project's potential environmental impacts. Where potential impacts require mitigation, the following list of mitigations explains how the identified potential environmental impacts can and will be avoided or substantially lessened:

- A. The project has been changed to avoid or substantially lessen environmental impacts. Where changes require explanation, the change(s) will be discussed in the Special Environmental Considerations section or attached material following the checklist.
- B. The project is subject to standards and requirements of the Land Use Element/Land Use Ordinance and/or other County ordinances that include provisions to avoid or substantially lessen environmental impacts. These provisions are requirements that must be incorporated into the project.
- C. The project is subject to state and/or federal regulations, laws and/or requirements that include provisions to avoid or substantially lessen environmental impacts. The project must incorporate the above provisions in order to be in compliance with Federal or State law.
- D. A special mitigation plan to avoid or lessen environmental impacts has been agreed to by the applicant. This will be noted on the checklist and, if necessary, discussed in an attachment to the checklist.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

Not Applicable
Insignificant Impact
Impact Can & Will be Mitigated
Potentially Significant Impact

I. BIOLOGICAL RESOURCES

- | | |
|--|-----------------|
| A. Wildlife | () () (✓) () |
| B. Vegetation | () () (✓) () |
| C. Habitat Area | () () (✓) () |
| D. Rare and/or Endangered Species | () () (✓) () |
| E. Unique or Fragile Biotic Community | () () () (✓) |
| F. State Area of Special Biological Importance | () () () (✓) |
| G. Riparian/Wetland Area | () () (✓) () |
| H. Other: _____ | () () () () |

Mitigation: A ___ B ___ C ___ D ___

- () See attached exhibits: () Developer's Statement; () Agency Response _____
 () Revised Plans; () Designated Bldg Sites
 () See Special Environmental Considerations
 () See Document in file _____

II. DRAINAGE, EROSION AND SEDIMENTATION

- | | |
|--|-----------------|
| A. Increased Storm Water Runoff | () () (✓) () |
| B. Erodible Soils/Erosion | () () (✓) () |
| C. Poorly Drained Soils | () () () (✓) |
| D. Sedimentation | () () (✓) () |
| E. Contributes to Existing Drainage Problem | () () (✓) () |
| F. Alters Existing Drainage Course or Waterway | () () (✓) () |
| G. Other: _____ | () () () () |

Mitigation: A ___ B ___ [see LUO sec.22.05.036(CZLUO 23.05.036); C ___ D ___
 22.05.040(CZLUO 23.05.040)]

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () Sedimentation & Erosion Control/Drainage Plan
 () See Special Environmental Considerations
 () See Document in file _____

III. GEOLOGICAL HAZARDS/SITE ALTERATION

- | | |
|---|-----------------|
| A. Landslide Hazard | () () (✓) () |
| B. Seismic Hazard | () () (✓) () |
| C. Topographic Alteration; Grading for
Building __, Driveways __, Roads __, Other __ | () () (✓) () |
| D. Soil Expansion | () () (✓) () |
| E. Steep Slopes | () () (✓) () |
| F. Other: _____ | () () () () |

Mitigation: A __ B __ C __ D __

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () Sed./Erosion Control Plan; () Revised Plans; () Designated Bldg Sites
 () See Special Environmental Considerations
 () See Document in file _____

IV. WATER RESOURCES

- | | |
|------------------------------------|-----------------|
| A. Groundwater Quantity | () () (✓) () |
| B. Groundwater Quality | () () (✓) () |
| C. Surface Water Quantity | () () (✓) () |
| D. Surface Water Quality | () () (✓) () |
| E. Stream Flow Change | () () (✓) () |
| F. Change to Estuarine Environment | () () (✓) () |
| G. Other: _____ | () () () () |

Mitigation: A __ B __ C __ D __

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () Hydrology Report
 () See Special Environmental Considerations
 () See Document in file _____

V. POLLUTION

- | | |
|--|-----------------|
| A. Hazardous Materials | () () (✓) () |
| B. Groundwater Pollution | () () (✓) () |
| C. Surface Water Pollution | () () (✓) () |
| D. Increase in Existing Noise Levels | () () (✓) () |
| E. Exposure of People to Severe Noise Levels | () () (✓) () |
| F. Substantial Air Emissions | () () () (✓) |
| *G. Deterioration of Ambient Air Quality | () (✓) () () |
| H. Creation of Objectionable Odors | () () () () |
| I. Other: _____ | () () () () |

*Mitigation: A __ B __ C __ D ✓

- (✓) See attached exhibit(s): (✓) Developer's Statement; (✓) Agency Response APCD
 () Hydrology/Noise Study
 (✓) See Special Environmental Considerations
 () See Document in file _____

VI. TRAFFIC

- | | |
|---|-----------------|
| *A. Increase in Vehicle Trips | () (✓) () () |
| *B. Reduced Levels of Service on Existing Public Roadways | () (✓) () () |
| *C. Limited or Unsafe Access | () (✓) () () |
| *D. Creates Unsafe Conditions on Public Roadways | () (✓) () () |
| *E. Areawide Traffic Circulation | () (✓) () () |
| *F. Internal Traffic Circulation | () (✓) () () |
| G. Other: _____ | () () () () |

- *Mitigation: A ___ B ✓ [see Co. Code Title 13.01.010-.060; South County Circulation Fee]; C ___ D ✓
 (✓) See attached exhibit(s): (✓) Developer's Statement; (✓) Agency Response Co. Engineering
 () Traffic Study
 (✓) See Special Environmental Considerations
 (✓) See Document in file Traffic study

VII. PUBLIC SERVICES

- | | |
|------------------------------|-----------------|
| *A. Fire Protection Services | () (✓) () () |
| B. Police/Sheriff Services | () () (✓) () |
| †C. Schools | () (✓) () () |
| ⊕D. Community Wastewater | () () (✓) () |
| ⊕E. Community Water Supply | () () (✓) () |
| F. Solid Waste Disposal | () () (✓) () |
| G. Onsite Wastewater | () () () (✓) |
| H. Onsite Water | () () () (✓) |
| I. Other: _____ | () () () () |

- † *Mitigation: A ___ B ✓† (School Fee, Countywide Fee) C ✓* D ___
 (✓) See attached exhibit(s): () Developer's Statement; (✓) Agency Response CDF*, NCS D⊕
 () See Special Environmental Considerations
 () See Document in file _____

VIII. AESTHETIC/CULTURAL RESOURCES

- | | |
|--------------------------------------|-----------------|
| A. Visual Impact from Public Roadway | () () (✓) () |
| *B. Increased Light or Glare | () (✓) () () |
| C. Alters Important Scenic Vista | () () () (✓) |
| †D. Archaeological Resources | () (✓) () () |
| E. Historic Resources | () () (✓) () |
| F. Other: _____ | () () () () |

- † *Mitigation: A ___ B ✓* C ___ D ✓†
 (✓) See attached exhibit(s): (✓) Developer's Statement; () Agency Response _____
 () Visual Analysis; () Revised Plans; () Landscape Plan; () Designated Bldg Sites
 (✓) See Special Environmental Considerations
 (✓) Document in file Arch. report (available on a "need to know" basis)

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Not Applicable
Insignificant Impact
Impact Can & Will be Mitigated
Potentially Significant Impact

IX. HOUSING AND ENERGY

- | | |
|---|-----------------|
| A. Creates Substantial Demand for Housing | () () (✓) () |
| B. Uses Substantial Amount of Fuel or Energy | () () (✓) () |
| C. Encourages Growth Beyond Resource Capacities | () () (✓) () |
| D. Other: _____ | () () () () |

Mitigation: A ___ B ___ C ___ D ___

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () See Special Environmental Considerations
 () See Document in file _____

X. AGRICULTURAL/MINERAL RESOURCES

- | | |
|--|-----------------|
| A. Eliminates Valuable Mineral Resources | () () () (✓) |
| B. Prime Agricultural Soils | () () () (✓) |
| C. Conflicts with Existing Agricultural Area | () () () (✓) |
| D. Change from Agriculture to Other Uses | () () () (✓) |
| E. Other: _____ | () () () () |

Mitigation: A ___ B ___ C ___ D ___

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () See Special Environmental Considerations
 () See Document in file _____

XI. GROWTH INDUCING/CUMULATIVE EFFECTS

- | | |
|---|-----------------|
| A. Growth Inducing Effects | () () (✓) () |
| B. Precedent for Change in Area Land Use | () () (✓) () |
| *C. Cumulative Effects: <u>Traffic, air quality</u> | () (✓) () () |
| _____ | () () () () |
| _____ | () () () () |
| _____ | () () () () |
| _____ | () () () () |
| _____ | () () () () |
| _____ | () () () () |
| D. Other: _____ | () () () () |

*Mitigation: A ___ B ✓ (School Fee, Countywide Fee) C ___ D ✓

- (✓) See attached exhibit(s): (✓) Developer's Statement; (✓) Agency Response Co. Eng., APCD
 (✓) See Special Environmental Considerations
 (✓) See Document in file Traffic study

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Environmental Determination No. 98-571

Date: October 22, 1999

SPECIAL ENVIRONMENTAL CONSIDERATIONS FOR THE MAGER/KING VENTURES TRACT MAP AND DEVELOPMENT PLAN; TR 98-2312 / S980065U

The applicant is requesting to: 1) subdivide a 10.75 acre parcel into 12 parcels ranging from 0.14 to 5.6 acres each, and 2) construct a 134,027 square foot mixed-use center with retail, 3 restaurants, movie theater, 30-unit motel and 44-unit rental apartment. The project site is within the Commercial Retail land use category and is on the west side of Frontage Road, immediately north of Grande Avenue, in the community of Nipomo.

Issues of Concern

During the initial study process, several issues were identified as having potentially significant environmental effects. It has been determined by the Environmental Coordinator that these issues can be mitigated, and the applicant, where applicable, has agreed to mitigate each to a level of insignificance. Specific mitigation measures were developed by the Environmental Coordinator, and the applicant has agreed to incorporate each of those measures into the project. The following is a brief discussion of the significant issues and how each will be mitigated to a level of insignificance.

Air Quality

The Air Pollution Control District of San Luis Obispo County (APCD) determined that the project may cause significant air quality impacts during the grading phase of construction and during operation of the development due to design. For the grading impacts, the APCD recommended that all applicable dust mitigation measures be applied to the project. The applicant has incorporated these measures into the project description by signing the attached developer's statement.

With regard to site layout, APCD argues that the project could be designed to provide better access for pedestrians, bicyclists and future transit users. APCD suggests a "city block" design with interconnecting through streets to the commercial areas to the north and the residential areas to the west. Unfortunately, the site's topography does not lend itself to this approach, and a complete redesign does not seem to be appropriate for any potential reduction in air quality impacts.

Archaeological Resources

A knoll on the northeastern portion of the property contained a Native American site that was designated CA-SLO-808. The property was graded between 1977 and 1980, resulting in major damage to the archaeological site. Three surface surveys were conducted over the years after the grading incident: 1980, 1991 and 1995. A small collection was made by the investigator in the 1995 survey.

The applicant for this project retained a fourth archaeological consultant to conduct an "Extended Phase I Subsurface Test Program" to: 1) determine if intact cultural deposits

associated with CA-SLO-808 were located on the property, and 2) conduct analysis on all cultural materials recovered from the property. A thorough surface search was conducted, and a total of 31 backhoe test units were excavated in areas most likely to contain intact deposits. No intact cultural material deposits were found on the surface or in any of the backhoe trenches. Although over 50 surface artifacts and approximately 50 flakes were recovered from the trenches, none of these artifacts were determined to be intact. Virtually all of the subsurface artifacts were recovered at depths in which modern trash (Styrofoam, metal and glass) was also found. No evidence of midden soil was noted in any of the trenches.

Based on the field work, no impacts to significant cultural resources are anticipated from project development. However, there is still a possibility of disturbing buried intact deposits. Therefore, a limited monitoring program is justified, and has been made a part of the project description by the applicant by signing the attached developer's statement. Potential impacts to archaeological resources are therefore mitigated to a level of insignificance.

Traffic/Circulation

Due to the potential traffic impacts of this project, including volume, turning movements, and safety issues, a traffic study was commissioned by the applicants (Higgins & Associates, June 29, 1999). The study resulted in several recommendations, which were reviewed by County Engineering staff and incorporated into the project description by means of the attached signed developer's statement. The project will also be required to pay its share of South County Circulation Fees. Traffic impacts are thereby mitigated to a level of insignificance.

Based on the above discussion, the potential on-site and cumulative impacts associated with the request are not considered significant. Therefore, a Negative Declaration is appropriate under the California Environmental Quality Act.

DATE: September 29, 1999

**DEVELOPER'S STATEMENT FOR MAGER TRACT MAP
AND DEVELOPMENT PLAN
ED98-571 (TR 2312; S980065U)**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Air Quality

1. **Prior to issuance of construction permits**, the applicant shall submit for review and approval by the Air Pollution Control District (APCD) and Environmental Coordinator an air quality compliance and monitoring plan. The plan shall include the following elements, as determined to be appropriate by the APCD. **During construction activities**, the applicant shall implement the following measures to mitigate dust impacts:
 - a. Reduce the amount of disturbed area where possible.
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
 - c. All dirt stock-pile areas should be sprayed daily as needed.
 - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
 - e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
 - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 - g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible after grading unless seeding or soil binders are used.
 - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114. This measure has the potential to reduce PM10 emissions by 7 - 14%.

- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. This measure has the potential to reduce PM10 emissions by 40 - 70%.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible. This measure has the potential to reduce PM10 emissions by 25 - 60%.

All PM10 mitigation measures required shall be shown on grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

2. **Prior to issuance of construction permits**, the applicant shall include the following elements in the final design of the project:
- a. Provide on-site bicycle parking as close as practical to door openings at all buildings. One bicycle parking space for every 10 car parking spaces is considered appropriate.
 - b. Provide on-site banking (ATM) and postal services.
 - c. Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
 - d. Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
 - e. Use sodium parking lot and street lights.

Archaeological Resources

3. **Prior to approval of subdivision improvement plans or grading permits**, the applicant shall submit an archaeological monitoring plan, for review and approval by the Environmental Coordinator. The desired monitoring effort would be considered a low to moderate level.

Monitoring: A monitoring plan shall be submitted by the consulting archaeologist. The plan must be approved by the Environmental Coordinator before it becomes operative.

4. **During construction activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor earth disturbing activities on the subject property. If any archaeological resources are found during monitoring work shall stop within 150 feet of the resource until such time as the resource can be evaluated by an archaeologist. The applicant shall implement the recommendations of the

archaeologist, as required by the Environmental Coordinator. **Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first**, the consulting archaeologist shall submit a letter to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

In the event that intact archaeological resources are encountered during any construction activities, the following standards apply:

- a. Construction activities shall cease, and the Environmental Coordinator shall be notified. Work in the area of the find shall be suspended until a qualified archaeologist has evaluated the nature and significance of the find in accordance with state and federal law and to the satisfaction of the Environmental Coordinator. If the find is associated with Native Americans then the applicant shall consult with the local Native American community.
- b. If the event archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator so proper disposition may be accomplished.

Monitoring: A letter shall be submitted by the consulting archaeologist. Compliance will be verified by the Environmental Coordinator in consultation with the Department of Planning and Building.

5. **Prior to issuance of construction permits, and upon completion of all monitoring/mitigation activities**, the consulting archaeologist shall submit a letter to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Monitoring: A letter shall be submitted by the consulting archaeologist. Compliance will be verified by the Environmental Coordinator in consultation with the Department of Planning and Building.

Traffic/Circulation

6. **Prior to application for a final map**, the applicant shall include the following in the improvement plans:
 - a. Hill Street and Grande Avenue widened to complete the project side of an A-2 (urban) section fronting the property, with detached sidewalks and a minimum 8-foot width parkway. The design of the improvements shall include a 35-foot

3-34

12-42

radius curb return on the northerly corner of Hill Street and South Frontage Road.

- b. South Frontage Road widened to complete an A-2 (urban) section fronting the property, with detached sidewalks and a minimum 8-foot width parkway. The cross-section of South Frontage Road shall include one travel lane in each direction, a continuous two-way center turn lane, and Class II bicycle lanes.
- c. South Frontage Road widened to provide two northbound lanes, with storage length 250 feet plus appropriate tapers, at its approach to Tefft Street.
- d. Relocate the northerly driveway on South Frontage Road to align with the northerly side of the theater/sit-down restaurant structure, and provide a right-turn storage/deceleration lane on South Frontage Road, from Hill Street to this driveway, for right turns into the site.
- e. Submit a revised site plan which modifies the internal circulation pattern as follows:
 - 1) Reconfigure the vehicle storage associated with the drive-up window for the fast-food restaurant site in the southeast corner of the site.
 - 2) Reconfigure the site plan as necessary to provide adequate turning movement space for four- and five-axle trucks to access the loading dock areas.
 - 3) Provide a drop-off area to provide disabled persons access to the central plaza area.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.



Signature of Owner(s)

John E. King

October 13, 1999

Date

Name (Print)

C:\MyFiles\WordPerfect Files\DEVSTATE\mager_999.wpd



3-35

SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Noel King, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us

January 18, 2005

MEMORANDUM

TO: Brian Pedrotti, Planning & Building

FROM: Richard Marshall, Development Services Engineer *RM*

SUBJECT: Reconsideration Materials for Tract 2312

Thank you for the opportunity to review the revised information submitted by the project applicant. I offer the following comments:

1. County Public Works supports the position that an updated site-specific traffic impact study is not needed at this time. The revised project description does propose a combination of uses that will generate less traffic than that which was already approved by the County, and there have been numerous studies of the area (including an update of the community traffic model which is currently underway). However, we are aware that Caltrans District 5 has expressed serious concerns about the operation of the Tefft Street interchange and surrounding street network. Our staff is working closely with that agency and have every confidence that we can resolve these issues to their satisfaction. As that coordination progresses, we will be able to recommend some specific condition language that spells out exactly what participation (funding or preparation of required design studies, building improvements or contributing money) we will recommend be required of the developer, and the timing of that participation (prior to map recordation or prior to building permits on the lots created).
2. The proposed realignment of Frontage Road through the site is acceptable, with one exception. The layout shows the provision of on-street parking on one side of the street. With the traffic volumes that are anticipated for this corridor, and the numerous turning movements associated with the entrances and exits from the project, parking and "un-parking" maneuvers on this street will produce unacceptable operational characteristics. It appeared that the developer was placing some reliance on this parking satisfying a portion of the project's requirements; you may wish to verify how its elimination will affect that situation.

3-36

3. In lieu of parking on South Frontage Road, it would be advisable to require the provision of a transit "turn-out" on each side of the road, in a location to be approved by the Regional Transit Authority.
4. Business signs are proposed near every driveway. Some appear to be pole-mounted while others may be "monument" signs. We will need to ensure that the placement of all signs provides for adequate sight distance for all driveways.

Please call me at 781-5280 if you have questions or need additional information.

c: Dale Ramey, Transportation Division
Dave Watson, King Ventures, 285 Bridge Street SLO 93401

File: Tract 2312

L:\DEVELOP\JAN05\pedrotti.mmo.wpd.lnd.rem

Hermreck to support the project, conditional that the existing URL would not be moved to encompass this project. Movement of the URL would nullify the NCAC support. The motion was seconded by Ricarda Gonzales and passed 10 to 1.

Nipomo Center/ SUB 2004-00091: Reconsideration of Nipomo retail shopping center off of Frontage Road at Hill Street (King Ventures). Dave Watson provided an overview of the project. Dave said King Ventures was working with NCSD to resolve water issues. A discussion followed. Questions and answers took place from the board and members of the audience. Dave felt a traffic study was needed and wanted to use the previous traffic data to perform the study. A motion was made by Rick Dean to Support the project and use the previous traffic data to support a traffic study. A second was provided by Jesse Hill and the motion passed unanimously.

Drainage Basin Report: Mike Winn reported; **Land Use recommends a letter be sent concerning the health implications of stagnant water present in basins.** Mike presented data on several drainage basins in the area. A possible virus infection may have occurred as a result of a contaminated drainage basin. Chairman Susie Hermeck made a motion that Mike Winn write a letter to Public health Department concerning the issue. El Jay Hansson seconded the motion and it passed unanimously.

Quimby Fees: Jesse Hill reported on Quimby fee status and monies that may be available. There will be a meeting Oct 8, 2004 with county council to discuss Quimby Fee funding and availability.

Public Comment: Upcoming community events which will be listed of the community calendar

Committee Reports:

By-Laws Committee: The By Laws have been rewritten. Main changes are that there will two geographic reps from each area, 2 concerned interests and past chairâ€”total 17 seats instead of 14. Also the formation of an election committee with a list of their responsibilities and procedures was proposed. A motion was made by Ed Eby and seconded by Bonnie Eisner to approve the bylaw changes. The motion passed unanimously. A motion was made by Rick Dean to revise the standing committees to be: Land Use; Traffic and Circulation; Quimby; Parks and Recreation; and Wireless Antenna. The motion was seconded by Bonnie Eise. The motion passed unanimously.

Park and Rec: Mike Winn provide the Parks and Recreation Report for Stephanie Franks.

Flood Control: Ricardo Gonzales provided the results of the Nipomo Drainage and Flood Control Study in the



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County of San Luis Obispo • Public Health Department

Environmental Health Services

2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

Curtis A. Batson, R.E.H.S.
Director

December 7, 2004

Nipomo Village LLC
c/o John King
290 Pismo Street
San Luis Obispo, CA 93401

ATTN: DAVE WATSON/RACHEL KOVESDI
RE: FINAL TRACT MAP 2456/S.R.#3015 (Nipomo Village Phase II)

Water Supply

This office is in receipt of a final will-serve letter from the Nipomo Community Services District to provide water and sewer service to the above noted subdivision.

Actual construction of the water and sewer system improvements will be delayed; however, provisions have been made to provide for the construction of these improvements by posting a bond, which has been approved by County Public Works.

TRACT 2456 is approved for map recordation.

Laurie Salo

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

c: Armand Boutte, County Public Works
Kami Griffin, County Planning
NCSD
King Ventures, Owners



CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California, 93405

November 8, 2004

County of San Luis Obispo
Department of Planning/Building
County Government Center
San Luis Obispo, CA 93408



Dear South County Team,

COMMERCIAL RECONSIDERATION PLAN

Name: Nipomo Center **Project Number:** SUB 2004-00091

The Department has reviewed the reconsideration plans submitted for the proposed commercial and residential project located at Frontage and Hill St., Nipomo. The property is located within the high fire hazard severity area, and will require a minimum 6-8 minute response time from the nearest County Fire Station.

The owner of the project shall meet the minimum fire and life safety requirements of the California Fire Code (1998 edition) with amendments. This fire safety plan shall remain on the project site until final inspection. The following standards are required:

FIRE SAFETY DURING CONSTRUCTION

- Commercial and industrial type projects shall have installed, prior to the start of construction, commercial water system and fire lanes.

FIRE EXTINGUISHING SYSTEM

- The proposed project is required to install a commercial fire/life safety sprinkler system in all structures.
- The automatic fire extinguishing system shall comply with National Fire Protection Association Pamphlet 13 for commercial and 13D for residential.
- Plans shall be submitted for review and approval to the County Building Departments.
- The Contractor shall be licensed by the State of California [CFC 1003.1.1 amended/Title 19, Section 19.20.029 (a)].
- The fire sprinkler system shall be monitored by a licensed alarm company.

FIRE PROTECTION ENGINEER REQUIREMENT

We require that a Fire Protection Engineer review the Fire Protection Systems for this project (UFC 103.1.1). If you would like a list of Fire Protection Engineers, it is available on our website at www.cdfslo.org. The Fire Protection Engineer will require that you provide working plans as outlined in NFPA 13, 6-1 (1996). The Fire Protection Engineer will be required to send the County Fire Department an original letter of the project review they conducted complete with the changes needed.

PORTABLE FIRE EXTINGUISHER(S)

- Portable fire extinguishers shall be installed and comply with the Uniform Fire Code (2000) Section 1002.1, Standard 10-1.
- The contractor shall be licensed by the State Fire Marshal.
- The minimum requirements will be determined during the building permit/fire safety plan process.

ROOF ACCESS

- The project shall provide vertical access to the roof from two points.
- Access can be provided by the use of landscaping or a fixed laddering system.
- Plans shall be submitted for approval to the County Fire Department.
- Presently the County Fire Department can provide a maximum 16-feet of vertical reach.

CONSERVATION IS WISE-KEEP CALIFORNIA GREEN AND GOLDEN

PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV.

3-40

COMMERCIAL WATER SYSTEM

- Emergency water supplies shall meet the minimum fire flow requirements as identified in the Uniform Fire Code, Section 903.1, 903.2, 903.3 and 903.4 as amended and Appendix III-A.
- The proposed project shall provide a minimum 1,500 gallons of water per minute for 120 minutes.
- The minimum water main size shall not be less than six (6) inches.
- Pressures may not be less than 20 psi, nor more than 150 psi (Appendix IIIA).

WATER SUPPLY CONNECTION

- Several fire hydrants shall be required.
- Fire hydrants are to be located with a maximum normal spacing of 300 feet as measured along vehicular travel ways.
- The County Fire Department will assist in hydrant placement and approve distribution system when plans are submitted.
- Fire hydrants shall have two, 2½-inch outlets with National Standard Fire thread, and one 4 inch suction outlet with National Standard Fire thread.
- The Chief shall approve other uses not identified.
- Signing: Each hydrant shall be identified by blue reflective dot.
 - (a) On a non-skid surface, center of roadway, to the fire hydrant side.

ACCESS

- Access road width shall be 18 feet.
- The project shall provide a minimum 20-foot fire lanes for emergency vehicle access.
- All road and driveway surfaces shall be all weather.
- All surfaces shall be constructed to meet a load capacity of 20 tons.

ADDRESSING

- Legible address numbers shall be placed on all structures.
- Legible address numbers shall be located at the driveway entrance.

FINAL INSPECTION

The project will require final inspection. **Please allow five (5) working days for final inspection.** When the safety requirements have been completed, **call Fire Prevention at (805) 543-4244, extension 2220**, to arrange for a final inspection. Currently South San Luis Obispo County inspections occur on Tuesdays and North County inspections occur on Thursdays.

Further information may be obtained from our website located at www.cdfslo.org ~ Planning and Engineering section. If we can provide additional information or assistance, please call (805) 543-4244.

Sincerely,

Gilbert R. Portillo
Fire Inspector

C: Nipomo Retail LLC

DEPARTMENT OF TRANSPORTATION
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
TELEPHONE (805) 549-3111
TDD (805) 549-3259
<http://www.dot.ca.gov/dist05>

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*Flex your power!
Be energy efficient!*

October 8, 2004

SLO-101 PM 4.85
Nipomo Center-
Reconsideration of
Dev. Plan & Vesting
Tentative Tract Map
TR 2312 - S980065U
Sub2004-00091

New Project Referral

Ms. Stephanie Fuhs
San Luis Obispo County
Department of Planning & Building
County Government Center
San Luis Obispo, CA. 93408

Dear Ms. Fuhs;

Thank you for submitting the new project referral for the Nipomo Center Project to the California Department of Transportation (Department), Development Review Staff for our early consideration. The following comments were generated as a result of the review.

The scope of this project includes the construction of 73,812 square feet of residential space and 61,500 square feet of commercial space with parking for 422 vehicles. The project is located at the corner of Hill Street and Frontage Road approximately 1 block south of the 101/Teft Street Interchange (I/C) in the Nipomo Mesa. Much of this project is adjacent to U.S. Route 101.

As the document/map being reviewed is a Vesting Tentative Tract Map, the applicants are legally entitled to build the above referenced configured project with approval of the Final Map essentially being guaranteed. *Section 66498.1* of the California Government Code states that, "The approval of a vesting tentative map confers a right to proceed with development in substantial compliance with ordinances, policies, and standards in place at the time the map application was recorded."

With *Section 66498.1* in mind and given the existing traffic congestion at the Interchange, the Department still feels compelled to voice its trepidation at

witnessing yet another County-approved subdivision on the Nipomo Mesa, especially one of this size and its very close proximity to the 101/Teft Street. Existing A.M mid-week peak hour traffic conditions at 101/Teft Street I/C are at Level of Service (LOS) "F". Delay here will be further exacerbated by the addition of this project's generated traffic, and the citizens of the Nipomo Mesa will continue to voice their complaints. Since a traffic impact study (TIS) was not done solely to isolate this project's impacts, the resultant specific effects on peak hour delay at 101/Teft street I/C is not readily quantified.

The Department is aware of and encouraged by the County's efforts to address the 101/Teft Street congestion in the interim, prior to constructing the 101/Willow Road Extension and Interchange. Priority project # 14 in *Table 30 - Capital Improvements Projects* of the County's, *South County Circulation Study 2000 Update*, offers a constrained project to alleviate congestion at the 101/Teft Street I/C. The south-bound 101 on-ramp reconstruction at Hill Street and South Frontage Road project may feasibly offer an interim solution. The Department agrees that one solution may include that the south-bound 101 on-ramp reconstruction (project # 14) be accelerated and constructed prior to the Year 2010 target date listed in Table 30. There is a caveat though.

Project # 14 includes a new connection on Route 101 that is scoped within an access-denial, designated location. As such, a Project Study Report (PSR) will need to be done for Project # 14 as it constitutes a new connection onto U.S. 101. A PSR can take varying amounts of time and money to complete, and the alternatives selected may end up being more complicated and costly to implement than what was initially thought. As this would be a locally funded project, the Department would require that one of its Project Managers for "Quality Assurance" be assigned to the ramp reconstruction project as a member of the Project Development Team (PDT).

The Department also encourages the Lead Agency to condition the applicant to accelerate payments into the South County Traffic Impact Fee Program so that Priority Project # 6, the Mary Avenue connection from Teft Street to Hill Street can be sped up. The two constrained projects, # 14, and # 6 should be constructed at the same time and accelerated from its identified 2010 completion date.

The Department also requests that for this project and the current Nipomo Village project, the Lead Agency consider conditioning both of these projects to construct as project specific mitigation, a ramp widening at the northbound 101/Teft Street I/C on-ramp to accommodate two lanes. In conjunction with the ramp widening, the construction of a dual left turn lane for east-bound Teft Street traffic turning onto the northbound 101 on-ramp needs to be completed. These improvements will help accommodate commuter traffic traveling north from the 101/Teft Street Interchange. Since the left-turn lane and the ramp widening projects are not included in Table 30 - Capital Improvement Projects of the South County

Ms. Stephanie Fuhs
October 8, 2004
Page 3

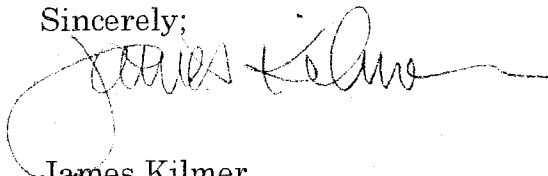
3-43

Circulation Study, the contribution to build these two projects can be banked with The Department in an account specifically for their study and construction.

The Department also requests a full set of the grading and drainage plans with the storm water calculations for a 100 year storm event. Given the very close proximity to U.S. Route 101 and the large amount of impervious surface associated with this project, we feel this is this is important. Past discussions with County Staff indicates that the applicant is entertaining the idea of jack and boring a drainage pipe underneath U.S. 101 to accommodate runoff from this project. It is advisable to address these hydraulics issues now instead of waiting until the eleventh hour when an encroachment permit will sought for the drainage improvements. Please submit the detailed drainage & grading plan with the 100-year calculations to me for further District 5 review.

Again, thank you for the opportunity to comment on the Nipomo Center, New Project Referral. If you have any questions please call me at 549-3683.

Sincerely;



James Kilmer
District 5
Development Review

cc: File, D. Murray, R. Barnes, L. Wickham, T. Farris, T. Gubbins, P. McClintic, T. Houston, S. Senet, D. Ramey – SLO County Public Works, R. Decarli - SLOCOG



19

(S) 3-44

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

JUL 07 2004

Planning & Bldg

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

9/9/04 10/06/04

From:

Parks

TO: FROM:

South Co Team

Nipomo Center

SUB 2004-00091

(Please direct response to the above)

Project Name and Number

APN: 092-130-054, 055, 057, & 058

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION:

Reconsideration -> Dev. Plan/TR 2312
S980065U. Nipomo Retail Shopping Center off
Frontage Rd. @ Hill St. in Nipomo. Directly west of
Hwy. 101. See site plans & info.

Return this letter with your comments attached no later than:

9/24/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

For apts. require payment of applicable Building
Division fees.

NOTE: PARKS is assuming no residential lot split - description is
not clear. If residential lot split then Qumity should be
required.

10/06/04
Date

JAN DI LEO
Name

4089
Phone



3-45
S. LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

9/9/04

TO:

Nipomo CSD

FROM:

South Co Team

Nipomo Center

SUB 2004-00091

(Please direct response to the above)

Project Name and Number

APN: 092-130-054, 055, 057, & 058

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION:

Reconsideration -> Dev. Plan/TR 2312.
S980065U. Nipomo Retail Shopping Center off
Frontage Rd @ Hill St. in Nipomo. Directly west of
Hwy. 101. See site plans & info.

Return this letter with your comments attached no later than:

9/24/04

PART I

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☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Project has a "Will Serve" letter (3/30/04). Proposed changes do not substantially change conditions of Will Serve. Final fee assessment for the project will be calculated prior to providing water service.

RECEIVED
SEP 14 2004

9/17/04
Date

Michael LeBrun
Name

929-11133
NIPOMO Phone
SERVICES UNIT

RECEIVED

SEP 22 2004



3-46
**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

(SF)

Date: September 23, 2004

To: South County Team
San Luis Obispo County Department of Planning and Building

From: Melissa Guise *MG*
San Luis Obispo County Air Pollution Control District

SUBJECT: Nipomo Retail Center (SUB 2004-00091)

Thank you for including the APCD in the environmental review process. We have completed our review of the Nipomo Retail Center project located on South Frontage Road in Nipomo. The project as proposed would include 60 residential units, retail space, offices, a restaurant, three fast food restaurants, and a mini market with fuel dispensing facilities. We have the following comments on the proposal.

GENERAL COMMENTS:

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

I. Construction Phase Emissions

The air quality impacts from the construction phase of the project will exceed the District's CEQA significance threshold for grading (4.0 acres). **The project shall be conditioned to comply with all applicable Air Pollution Control District regulations pertaining to the control of fugitive dust (PM10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:**

- Reduce the amount of the disturbed area where possible;
- Water trucks or sprinkler systems should be used in sufficient quantities to prevent airborne dust from leaving the site. Watering frequency should be increased whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
- All dirt stock-pile areas should be sprayed daily as needed;
- Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established;
- All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;

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Nipomo Retail Center (SUB 2004-00091)

September 23, 2004

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- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

All PM10 mitigation measures must be included on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holidays and weekend periods when work may not be in progress. **The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and finished grading of the area.**

This project will involve the use of numerous pieces of heavy-duty diesel equipment. As you may be aware, in July of 1999 the California Air Resources Board (ARB) listed diesel exhaust particulate matter, as a toxic air contaminant (TAC) with no identified threshold level below which there are no significant effects. To mitigate the diesel PM generated during the construction phase, District staff recommends the following equipment emission mitigation measures be implemented:

- All construction equipment be properly maintained and tuned according to manufacturer's specifications;
- All off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, shall be fueled exclusively with ARB motor vehicle diesel fuel; and
- Maximize to the extent feasible, the use of diesel construction equipment meeting the ARB's 1996 certification standard for off-road heavy-duty diesel engines.

Demolition Activities

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition, relocation, or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the APCD Enforcement Division at 781-5912 for further information.

Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos**

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Nipomo Retail Center (SUB 2004-00091)

September 23, 2004

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ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the District. Please refer to the District web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Karen Brooks of our Enforcement Division at 781-5912.

Developmental Burning

Effective February 25, 2000, **the District prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, District approval, and issuance of a burn permit by the District and the local fire department authority. The applicant is required to furnish the District with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

Portable Equipment Permit or Registration Requirements

Portable equipment used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or a District permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive.

- Portable generators
- IC Engines
- Concrete batch plants
- Rock and pavement crushing
- Tub grinders
- Trommel screens

To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

II. Operational Phase Emissions

District staff conducted a screening level air quality impact assessment for the operational emissions from this project based on the information provided in the project referral. The screening data indicated the project will exceed the District's CEQA Tier II significance threshold (25 lb/day). With a project of this type and size it is difficult to provide adequate onsite mitigation measures to reduce emissions below the District's 25 lb./day significance threshold. However, with the inclusion of the all of the following standard and discretionary mitigation measures; and one of the off-site mitigation measures from the list below we would consider the project mitigated to below the level of significance. **This project needs to implement all applicable Standard Mitigation Measures and all Discretionary Mitigation Measures listed below and one off-site mitigation measure.**

Mitigation measures for the Residential Component of the Project

Standard Mitigation Measures (implement all applicable)

- Link cul-de-sacs and dead-end streets to encourage pedestrian and bicycle travel;
- Include traffic calming modifications to project roads, such as narrower streets, speed platforms, bulb-outs and intersection modifications designed to reduce vehicle speeds, thus encouraging

Nipomo Retail Center (SUB 2004-00091)

September 23, 2004

Page 4 of 7

- pedestrian and bicycle travel;
- Provide easements or land dedications for bikeways and pedestrian walkways;
- Provide continuous sidewalks separated from the roadway by landscaping and on-street parking. Adequate lighting for sidewalks must be provided, along with crosswalks at intersections; and
- Increase the building energy efficiency rating by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways (increasing attic, wall or floor insulation, etc.).

Discretionary Mitigation Measures (implement all applicable)

- If the project is located on an established transit route, improve public transit accessibility by providing transit turnouts with direct pedestrian access to project.
- Increased street tree planting.
- Outdoor electrical outlets to encourage the use of electric appliances and tools.
- Secure on-site bicycle parking for multi-family residential developments.
- Increase number of bicycle routes/lanes.
- Build new homes with internal wiring/cabling that allows telecommuting, teleconferencing, and telelearning to occur simultaneously in at least three locations in each home.
- Provide pedestrian signalization and signage to improve pedestrian safety.
- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use high efficiency, gas or solar water heaters.
- Use built-in energy efficient appliances.
- Use double-paned windows.
- Use low energy street lights (i.e. sodium).
- Use energy efficient interior lighting.
- Use low energy traffic signals (i.e. light emitting diode).
- Install door sweeps and weather stripping if more efficient doors and windows are not available.
- Install high efficiency or gas space heating.

Mitigation measures for the Commercial Component of the Project

Standard Mitigation Measures (implement all applicable)

- Provide on-site bicycle parking. One bicycle parking space for every ten car parking spaces is considered appropriate;
- Provide on-site eating, refrigeration and food vending facilities to reduce lunchtime trips;
- Provide preferential carpool and vanpool parking;
- Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees; and
- Increase building energy efficiency rating by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways (increasing attic, wall or floor insulation, etc.).

Discretionary Mitigation Measures (implement all applicable)

- Increased street tree planting.
- Plant shade trees in parking lots to reduce evaporative emissions from parked vehicles.
- Install an electrical vehicle charging station with both conductive and inductive charging capabilities.
- Increase number of bicycle routes/lanes.
- If the project is located on an established transit route, improve public transit accessibility by

Nipomo Retail Center (SUB 2004-00091)

September 23, 2004

Page 5 of 7

providing transit tumouts with direct pedestrian access to project or improve transit stop amenities.

- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment.
- Provide pedestrian signalization and signage to improve pedestrian safety.
- Employ or appoint an Employee Transportation Coordinator.
- Implement a Transportation Choices Program. The applicant should work with the Transportation Choices Coalition partners for free consulting services on how to start and maintain a program. Contact SLO Regional Rideshare at 541-2277.
- Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc.
- Implement compressed work schedules.
- Implement telecommuting program.
- Implement a lunchtime shuttle to reduce single occupant vehicle trips.
- Participate in an employee "flash-pass" program, which provides free travel on transit buses.
- Include teleconferencing capabilities, such as web cams or satellite linkage, which will allow employees to attend meetings remotely without requiring them to travel out of the area.
- Plant shade trees along southern exposures of buildings to reduce summer cooling needs.
- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use low energy parking lot and street lights (i.e. sodium).
- Use energy efficient interior lighting.
- Use low energy traffic signals (i.e. light emitting diode).
- Install door sweeps and weather stripping if more efficient doors and windows are not available.
- Install high efficiency or gas space heating.

Off Site Mitigation (implement one measure)

- Develop or improve park-and-ride lots.
- Retrofit existing homes in the project area with APCD-approved wood combustion devices.
- Retrofit existing homes in the project area with energy-efficient devices.
- Retrofit existing businesses in the project area with energy-efficient devices.
- Construct satellite worksites.
- Fund a program to buy and scrap older, higher emission passenger and heavy-duty vehicles.
- Replace/repower transit buses.
- Replace/repower heavy-duty diesel school vehicles (i.e. bus, passenger or maintenance vehicles).
- Fund an electric lawn and garden equipment exchange program.
- Retrofit or repower heavy-duty construction equipment, or on-road vehicles.
- Repower marine vessels.
- Repower or contribute to funding clean diesel locomotive main or auxiliary engines.
- Install bicycle racks on transit buses.
- Purchase particulate filters or oxidation catalysts for local school buses, transit buses or construction fleets.
- Install or contribute to funding alternative fueling infrastructure (i.e. fueling stations for CNG, LPG, conductive and inductive electric vehicle charging, etc.).

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Nipomo Retail Center (SUB 2004-00091)

September 23, 2004

Page 6 of 7

- Fund expansion of existing transit services.
- Fund public transit bus shelters.
- Subsidize vanpool programs.
- Subsidize transportation alternative incentive programs.
- Contribute to funding of new bike lanes.
- Install bicycle storage facilities.
- Provide assistance in the implementation of projects that are identified in city or county Bicycle Master Plans.

In addition to the mitigation measures listed above the following District Rules and Permit requirements also apply to this project.

1. Wood Burning Devices

In addition to the mitigation measures the following rule will apply if wood burning devices are included as part of the project. **Under District Rule 504, only District approved wood burning devices can be installed in new dwelling units.** District approved devices include:

- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled woodheaters; and
- Dedicated gas-fired fireplaces.

If you have any questions about approved wood burning devices, please contact Tim Fuhs of our Enforcement Division at 781-5912.

2. Gasoline Dispensing Facility Permit

A new or modified gasoline dispensing facility (GDF) will require a District permit. Prior to approval by your agency, the applicant must apply for a Combined Authority to Construct from the District and the San Luis Obispo County Environmental Health Service (EHS). Contact EHS at 781-5544 for a combined application form. A Combined Authority to Construct, issued by EHS, must be obtained by the applicant prior to the start of construction.

In addition, gas stations and other facilities which emit toxic or hazardous air pollutants have the potential to cause increased cancer risk for those who live or work in the surrounding area. The significance of this potential health risk depends upon several factors, including the annual gasoline throughput of the GDF and the location of the receptors (existing or proposed). Using this information, the District will run a health-based screening level risk assessment for the facility, following the California Air Pollution Control Officer's Association (CAPCOA) guidelines. Depending on the District's screening risk determination, applicants may be subject to throughput limitations or may be required to submit a more refined Health Risk Assessment. Please have the applicant contact Brian Aunger of our Engineering Division, at 781-5912 to discuss these issues further.

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September 23, 2004
Page 7 of 7

3. General Permit Requirements

The District supports the establishment of standards to allow for mixed-use development. In developing these standards it is important to keep in mind that some uses may not be compatible and could result in potential nuisance problems (i.e. odors and/or dust). **Therefore, it is essential that individual uses be carefully evaluated prior to issuance of a use permit.** The following are examples of uses that could be problematic if residential and/or office quarters are included in the same building:

- Nail Salons
- Dry-cleaners
- Coffee Roasters
- Gasoline Stations
- Furniture refurbishing/refinishing
- Any type of spray paint operation

Based on the information provided, we are unsure of the types of equipment that may be present at the site. **Portable equipment used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. Operational sources may also require APCD permits.** The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Food and beverage preparation (primarily coffee roasters)
- Furniture and fixture products
- Dry cleaning
- Generators

To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

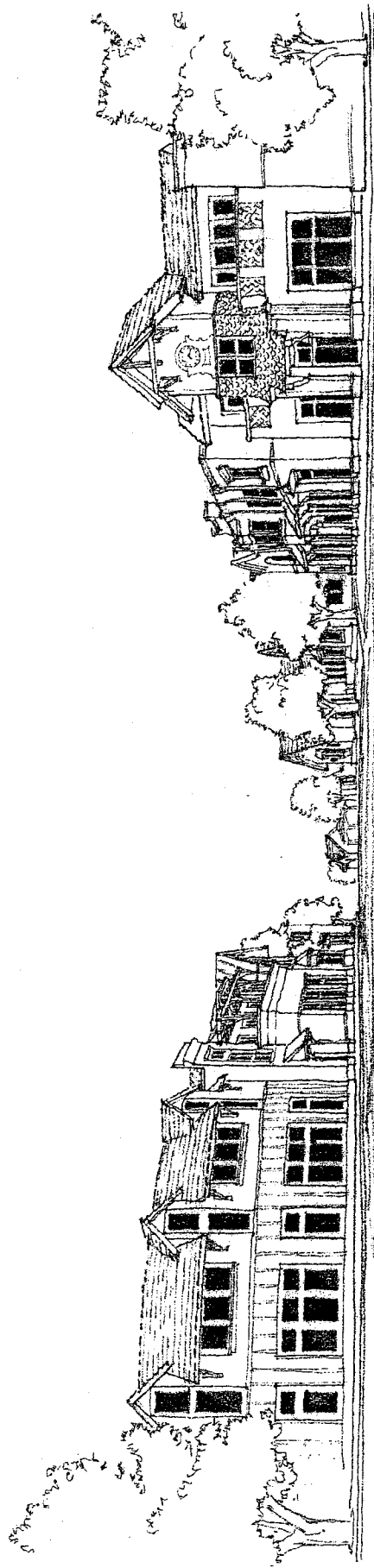
Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments please contact me at 781-5912.

cc: David Dixon, SLOAPCD Engineering Division
Karen Brooks, SLOAPCD Enforcement Division
Tim Fuhs, SLOAPCD Enforcement Division
Brian Aunger SLOAPCD Engineering Division

Enclosure: Attachment 1

MAG/sll

3-53

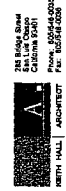


Sheet Index

0:0.0	Title Sheet	2:0.0	Residential Partial Site Plan
CB:C1	Commercial Color Board Building D	2:1.0	Unit Floor Plans
CB:C2	Commercial Color Board Building A	2:2.0	Unit Sections
CB:R1	Residential Color Board	2:3.0	Unit Elevations
CB:R2	Residential Color Board		Civil - Tentative Tract Map
0:0.1	Statistics		Civil - Prelim. Grading Drainage & Utility Plan
0:1.0	Site Key Plan		
0:1.1	Construction Phasing Plan		
0:2.0	Site Sections		
L1	Conceptual Landscape Plan		
L2	Conceptual Plant List & Legend		
1:0.0	Commercial Partial Site Plan - 1st Floor		
1:0.1	Commercial Partial Site Plan - 2nd Floor		
1:1.0	Signage Plan		
1:1.1	Site Signage Elevations		
1:1.2	Building Signage Elevations		
1:2.0	Partial Site Sections		
1:2.1	Partial Site Sections		
1:3.0	Frontage Road Street Elevations - West & East		
1:3.1	Building A Elevation		
1:3.3	Building C Elevation		
1:3.4	Building D Elevation		
1:4.0	Site Details		

Nipomo Retail Center
Nipomo, California
Title Sheet

0 0.0



NO. 10000, State of California
Architect's Seal
JAMES HALL, ARCHITECT
Firm No. 10000

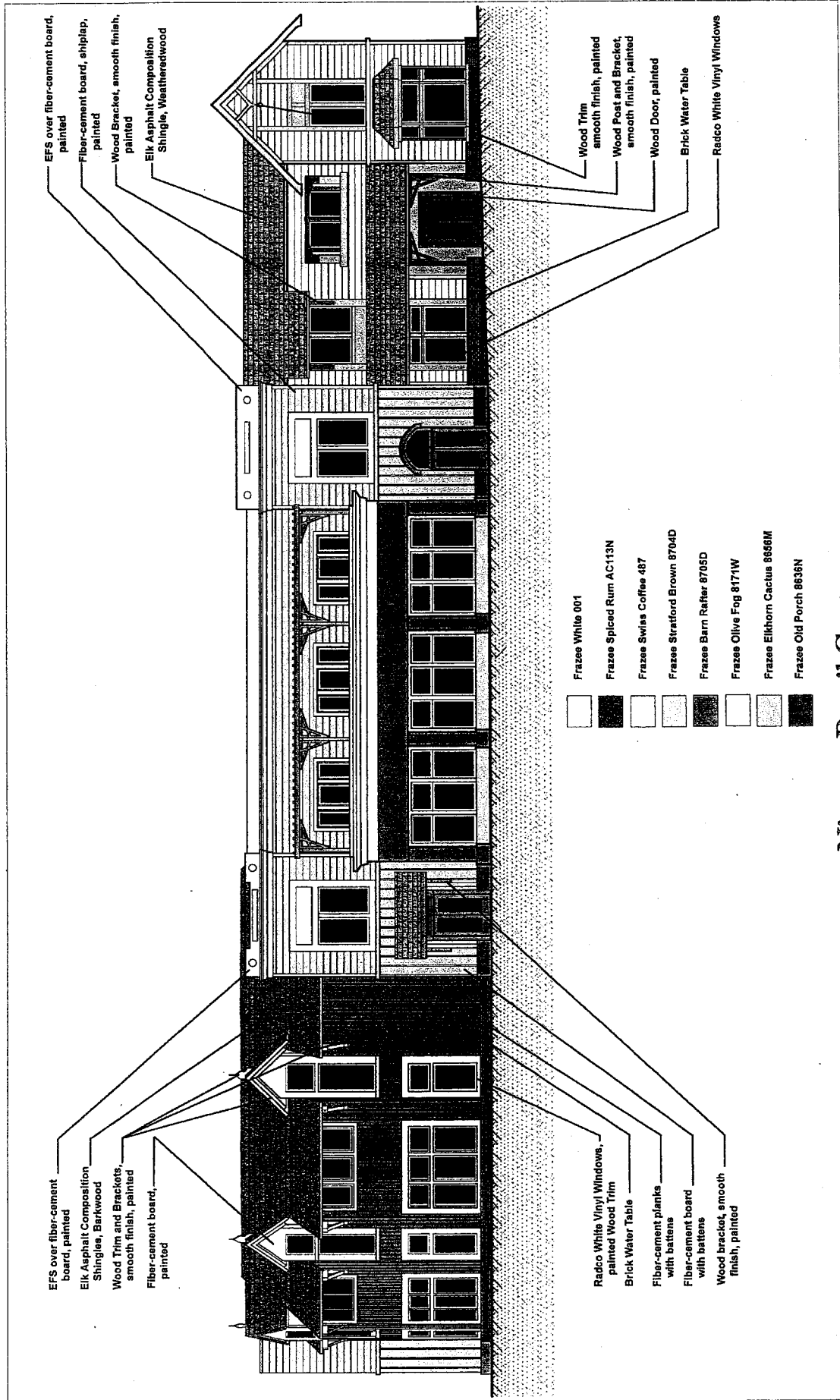
Project Name: N/A
Scale: N/A

Master Site Plan
Plot Date: December 10, 2004
Purpose: Development Plan Submittal
Site Number: 10000
Master Site Plan.dwg
Layout Name: Title Sheet

200 S. Kings Street
San Luis Obispo, CA 93401
Phone: 805-544-4444
e-mail: jhall@jhallarchitect.com



3-54



EFS over fiber-cement board, painted
 Elk Asphalt Composition Shingles, Barkwood
 Wood Trim and Brackets, smooth finish, painted
 Fiber-cement board, painted
 EFS over fiber-cement board, painted
 Fiber-cement board, shiplap, painted
 Wood Bracket, smooth finish, painted
 Elk Asphalt Composition Shingle, Weatheredwood

Frazee White 001
 Frazee Spiced Rum AC113N
 Frazee Swiss Coffee 487
 Frazee Stratford Brown 8704D
 Frazee Barn Rafter 8705D
 Frazee Olive Fog 8171W
 Frazee Elkhorn Cactus 8668M
 Frazee Old Porch 8636N

Wood Trim smooth finish, painted
 Wood Post and Bracket, smooth finish, painted
 Wood Door, painted
 Brick Water Table
 Radco White Vinyl Windows

Radco White Vinyl Windows, painted
 Brick Water Table
 Fiber-cement planks with battens
 Fiber-cement board with battens
 Wood bracket, smooth finish, painted

Nipomo Retail Center Nipomo, California

Building & Color Board

By letter to: All construction documents
 must be submitted to the City of Nipomo
 for review and approval. The City of Nipomo
 is not responsible for the accuracy of the
 information provided in this document. The
 information is provided for your reference only.
 The City of Nipomo is not responsible for the
 accuracy of the information provided in this
 document.

Color Board
 Plot Date: December 10, 2004
 Purpose: Development Plan Submittal
 Job Number: 000102
 File Name: Bldg CD
 Board

300 Santa Rosa
 San Luis Obispo, CA 93401
 Phone: 805-544-4444
 Fax: 805-544-4337
 E-mail: info@kingarchitect.com



300 Santa Rosa
 San Luis Obispo, CA 93401
 Phone: 805-544-4444
 Fax: 805-544-4337
 E-mail: info@kingarchitect.com

CBC-1
 Architect

Project North
 Scale: N.T.S.
 Scale and Orientation

Project Name

Copyright

Sheet Title

Revised

3-55



Elk asphalt composition
ingles, Weatheredwood
finish, painted
Wood fascia, smooth
finish, painted
Wood trim, smooth
finish, painted
Fiber-cement lap siding,
smooth finish, painted

Fiber-cement scallop
singles, painted
Brick water table
Fiber-cement board, smooth
finish, painted
Wood bracket, smooth
finish, painted
Wood door, painted

- Frazee White 001
- Frazee Swiss Coffee 487
- Frazee Stratford Brown 8704D
- Frazee Barn Rafter 8705D
- Frazee Olive Fog 8171W
- Frazee Elkhorn Cactus 8658M
- Frazee Old Patch 8638N

Elk asphalt composition
ingles, Barkwood
Elk asphalt composition
ingles, Weatheredwood
smooth finish, painted
Wood fascia and trim
smooth finish, painted

EFS over fiber-cement
board, painted
Wood trim, smooth
finish, painted
Wood bracket, smooth
finish, painted
Wood door, painted
Radco vinyl windows, white

Nipomo Retail Center Nipomo, California Building A Color Board

CB C-2

300 Main Street
San Luis Obispo, CA 93401
Phone: 805/964-4444
Fax: 805/964-4444

Project North
Scale: N.T.S.

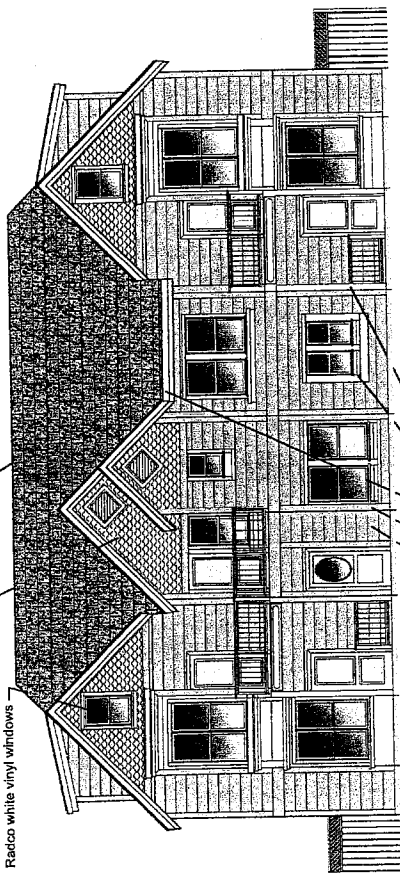
This color board is for informational purposes only. It is not a contract document. The actual colors of the materials used in the project may vary from the colors shown on this board due to a number of factors including but not limited to: lighting, weathering, and the age of the materials.

Color Board
File Date: December 10, 2004
Purpose: Development Plan Submission
Job Number: 009-02
Location: Nipomo, California
Legend: Material, Color Board C-2

300 Main Street
San Luis Obispo, CA 93401
Phone: 805/964-4444
Fax: 805/964-4444
www.king.com

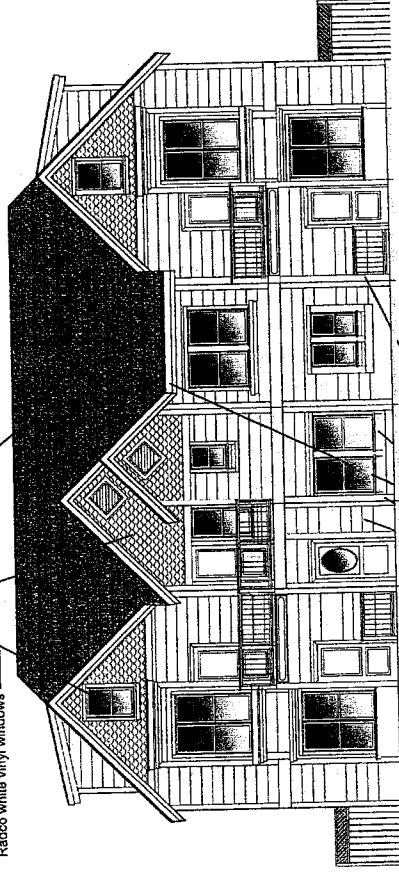
3-56

Roof: Asphalt composition shingle, Elk Weatherwood
Siding: Fiber-cement board, shingle, painted
Scalloped fiber-cement siding panels
Fascia, Porch & Window Trim: Wood, smooth finish, painted
Radco white vinyl windows



Siding: Fiber-cement board, shingle, painted
Corner Boards: Wood, smooth finish, painted
Fascia, Porch & Window Trim: Wood, smooth finish, painted
Radco white vinyl windows

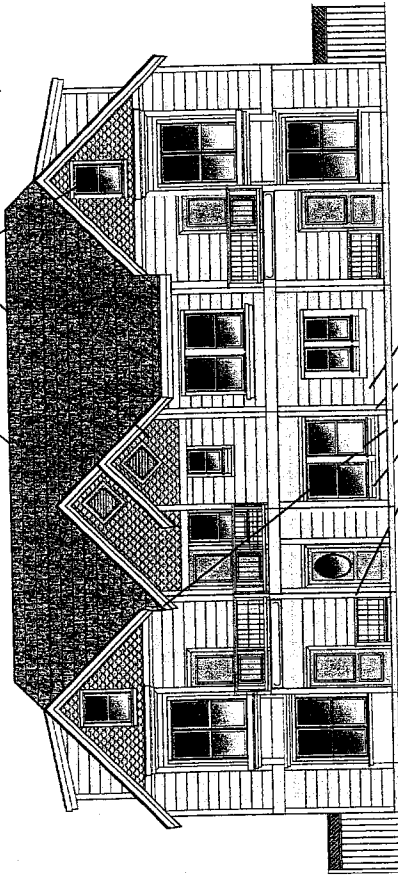
Roof: Asphalt composition shingle, Elk Barkwood
Siding: Fiber-cement board, shingle, painted
Scalloped fiber-cement siding panels
Radco white vinyl windows



Siding: Fiber-cement board, shingle, painted
Corner Boards: Wood, smooth finish, painted
Fascia, Porch & Window Trim: Wood, smooth finish, painted

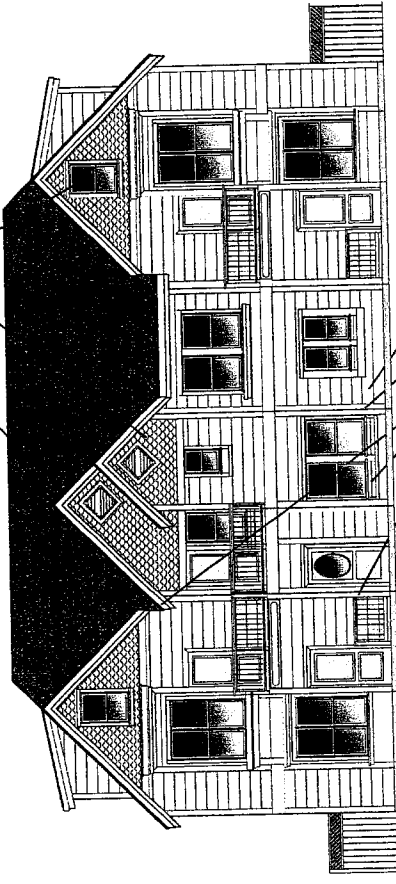
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- ☐ Frazee Salt Water 8591W
- ☐ Frazee Fog Buoy 8574M
- ☐ Frazee Mixed Onion 7870W
- ☐ Frazee Rock Creek 8152W

Roof: Asphalt composition shingle, Elk Weatherwood
Siding: Fiber-cement board, shingle, painted
Scalloped fiber-cement siding panels
Fascia, Porch & Window Trim: Wood, smooth finish, painted
Radco white vinyl windows



Siding: Fiber-cement board, shingle, painted
Corner Boards: Wood, smooth finish, painted
Fascia, Porch & Window Trim: Wood, smooth finish, painted
Radco white vinyl windows

Roof: Asphalt composition shingle, Elk Barkwood
Siding: Fiber-cement board, shingle, painted
Scalloped fiber-cement siding panels
Radco white vinyl windows



Siding: Fiber-cement board, shingle, painted
Corner Boards: Wood, smooth finish, painted
Fascia, Porch & Window Trim: Wood, smooth finish, painted

Nipomo Retail Center Nipomo, California Residential Color Board

CB R-1

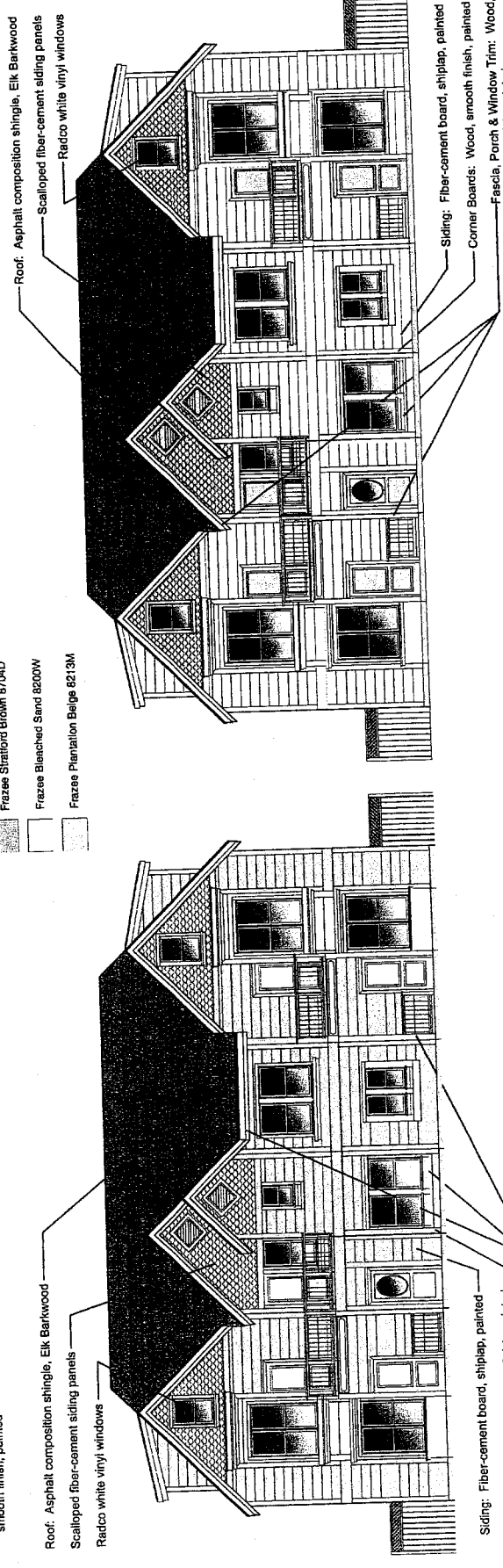
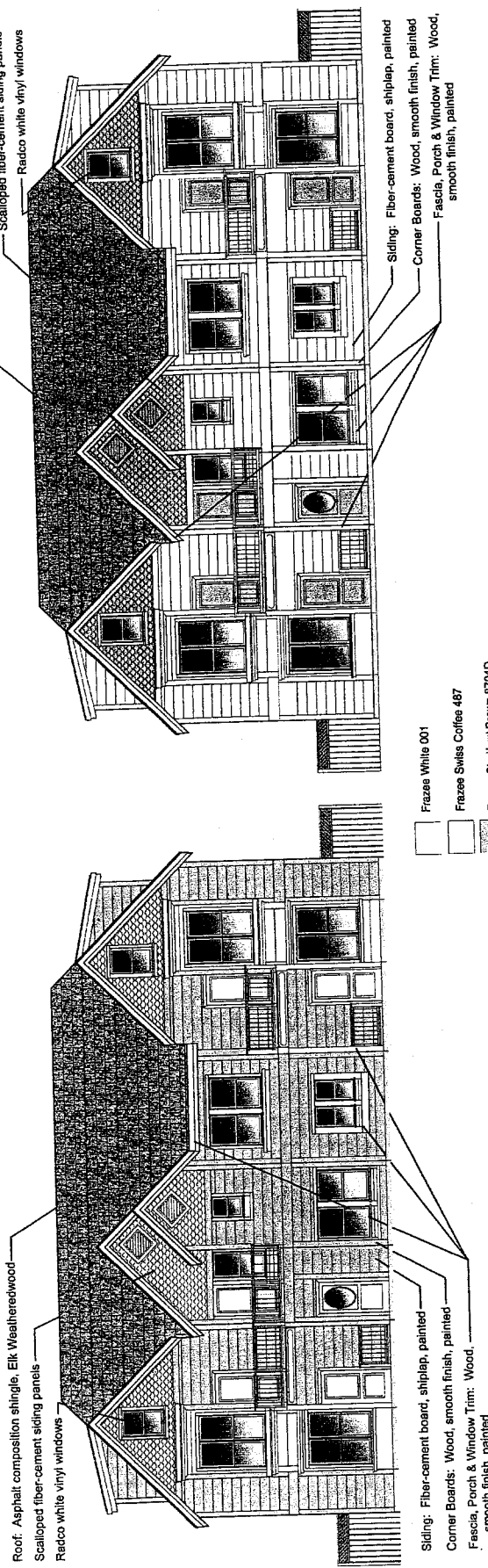
A
K H
ARCHITECT
2000 N. Main Street
San Luis Obispo, CA 93401
Phone: 805/464-2020
Fax: 805/464-2028

Project North
Scale: N.T.S.
DATE: 10/1/2004

Color Board
Plot Date: December 10, 2004
Job Number: 038002
File Name: Residential Color Board
Layout Name: Color Board
By: [Signature]
Check: [Signature]

King
2000 N. Main Street
San Luis Obispo, CA 93401
Phone: 805/464-2020
Fax: 805/464-2028
e-mail: kha@kingarchitect.com

3-57



- ☐ Frazee White 001
- ☐ Frazee Swiss Coffee 487
- ☐ Frazee Stratford Brown 8704D
- ☐ Frazee Bleached Sand 8200W
- ☐ Frazee Plantation Beige 8213M

Nipomo Retail Center Nipomo, California Residential Color Board

CB R-2



Project North

Scale: N.T.S.

Scale and Orientation

Project Name

This color board is for informational purposes only. It is not a contract. The colors shown are approximate and may vary from the actual colors of the materials used. The colors shown are for reference only and should not be used as a basis for selection. The colors shown are for reference only and should not be used as a basis for selection.

Color Board
 Per City of Nipomo, California, Ordinance 10, 2004
 Development Plan Submittal
 Job Number: 009/02
 File Name: Residential Color Board
 Approved: [Signature]
 Date: [Date]

288 Ridge Street
 San Luis Obispo, CA 93401
 Tel: 805/464-1444
 Fax: 805/464-1471
 e-mail: [Email Address]



Daywater

Site	Use	Proposed Bldg SF	40% customer or 75% retail	Storage / Utility	Unit/Size Ratio for Parking Calc.	Basic parking Basis
			At 100% customer			

[illegible][illegible]

Building Type	Units per Complex	# of Units	Parking Spaces per Unit	Parking Req.
apart	2 per	6	2	20.00
apart	3 per	11	2	66.00
apart	4 per	4	2	32.00
RESIDENTIAL TOWNSHIPS				
condo	2 per	6	2	20.00
condo	3 per	11	2	66.00
condo	4 per	4	2	32.00
TOTAL				

Method 1- Based on Commercial & Residential Parking

Gross Parking Required (Commercial Total 328 + Residential 116)	447
Mixed Use Reduction 19% of Commercial Use Parking Lots	-83
Adjusted Total Parking Required with Reduction	364

Gross Parking Required (Commercial East & West)	329
Mixed Use Reduction	-83
25% of Commercial Use Parking Lots	

Residential (no Reduction)	118
Adjusted Total Parking Required with Reduction	364

	HC	Standard	Guest	Compact	Sub-Totals	Total
Merlot 1-Retired/Ret	0	118	10	0		
Merlot 2-Commercial						128
East	5	97	0	21		121
West	5	108	0	3		115

Total Parking Provided	364
Total Parking Provided	364
Total Parking Required	364

Nipomo Statistics
Pilot Date: December 10, 2004
Purpose: Development Plan Subtotal
Job Number: 009-00
File Name: Statistics.dwg

	s.f.	Acres
+ Grass (E) Site	475,268.8	10.98
+ Acquired Vacted (E) (Frontage Road)	47,259.8	1.08
- Frontage Road Dedication	81,496.8	1.87
- On Ramp	2,795.3	0.06
- Hill St. Dedication	3,533.1	0.08
Total Net Site Area	437,732.6	10.05

	Commercial East of Frontage	West of Frontage	Residential	Retention Basin	Site Totals	Acres	%ages
Building Footprint	19,700	29,200	29,672	0	78,572	1.80	17.95%
Parking	58,929	44,862	59,562	0	162,253	3.72	37.07%
Hardscape & Walks	20,195	28,039	18,209	0	66,502	1.53	15.19%
Landscape	11,225	10,956	42,025	29,110	101,356	2.33	23.16%
Private Yards	0	0	29,039	0	29,039	0.67	6.53%
Totals	109,948	121,157	177,507	29,110	437,723	10.05	100.00%
Core	232	218	437	6,697	10,005		
% of Site	25.12%	27.68%	40.45%	6.69%	100.00%		

	Floor Area Ratio	Site Area	Floor Area
Planning Area Standard	48%		210,107
Maximums	33%	437,723	145,265
Proposed	15%		84,842

Unit Area Calculations					
Unit Type	First Floor	Second Floor	Third Floor	Unit SF.	# Of Units
Midrise Unit-A	583	595	N/A	1,178	24
Midrise Unit-B w/Opt. 3rd floor loft	448	501	316	1,265	35

Unit Type	First Floor	Second Floor	Third Floor	Total Unit SF.	# Of Units	Total Floor Area
Single Unit-A	583	595	N/A	1,178	24	28,272
and Unit-B w/Opt. 3rd floor loft	448	501	316	1,265	35	44,275

148,415 JAN 11

Residential		50 Units		72.547 Year 1, Base Year	
First Floor	Second Floor	Area in sq. ft.	First Floor	Second Floor	Third Floor
Area in sq. ft.	Area in sq. ft.	2,305	2,402	1,650	12,474
200 sq. ft. each	200 sq. ft. each	11.525	12.010	8.250	62.370
(4) Unit - A	(4) Unit - B	2,500	2,500	1,500	
200 sq. ft. each	200 sq. ft. each				
3,305 sq. ft. total	3,305 sq. ft. total				

3rd and 4th Floor Building		72.547		40.762	
Area in sq. ft.	Area in sq. ft.	6,413	6,445	4,300	4,000
500 sq. ft. each	500 sq. ft. each	12.826	12.890	8.600	8.000
(12) Unit - A	(12) Unit - B	3,800	3,800	1,500	1,500
500 sq. ft. each	500 sq. ft. each				
3,800 sq. ft. total	3,800 sq. ft. total				

5th and 6th Floor Building		72.547		40.762	
Area in sq. ft.	Area in sq. ft.	6,413	6,445	4,300	4,000
500 sq. ft. each	500 sq. ft. each	12.826	12.890	8.600	8.000
(12) Unit - A	(12) Unit - B	3,800	3,800	1,500	1,500
500 sq. ft. each	500 sq. ft. each				
3,800 sq. ft. total	3,800 sq. ft. total				

7th and 8th Floor Building		72.547		40.762	
Area in sq. ft.	Area in sq. ft.	6,413	6,445	4,300	4,000
500 sq. ft. each	500 sq. ft. each	12.826	12.890	8.600	8.000
(12) Unit - A	(12) Unit - B	3,800	3,800	1,500	1,500
500 sq. ft. each	500 sq. ft. each				
3,800 sq. ft. total	3,800 sq. ft. total				

First Floor	Second Floor	Third Floor
Area in 1 st Floor Total Area in 1 st Floor Total Area in 1 st Floor Total	Area in 2 nd Floor Total Area in 2 nd Floor Total Area in 2 nd Floor Total	Area in 3 rd Floor Total Area in 3 rd Floor Total Area in 3 rd Floor Total

2. BBS Total & Comments				
Building - A	1350	5,500	0	13,000
Air-Flow w/ Gas				
Electric	5,500			
Mech.	1,000			
Building - B		8,000	0	20,000
Office				
Retail	11,000	9,000		
Building - C			0	2,000
Office				
Retail	1,000			
Customer (Building)	1,000			
Building - D	10,700	51,000		20,700
Retail				
Office		10,000		

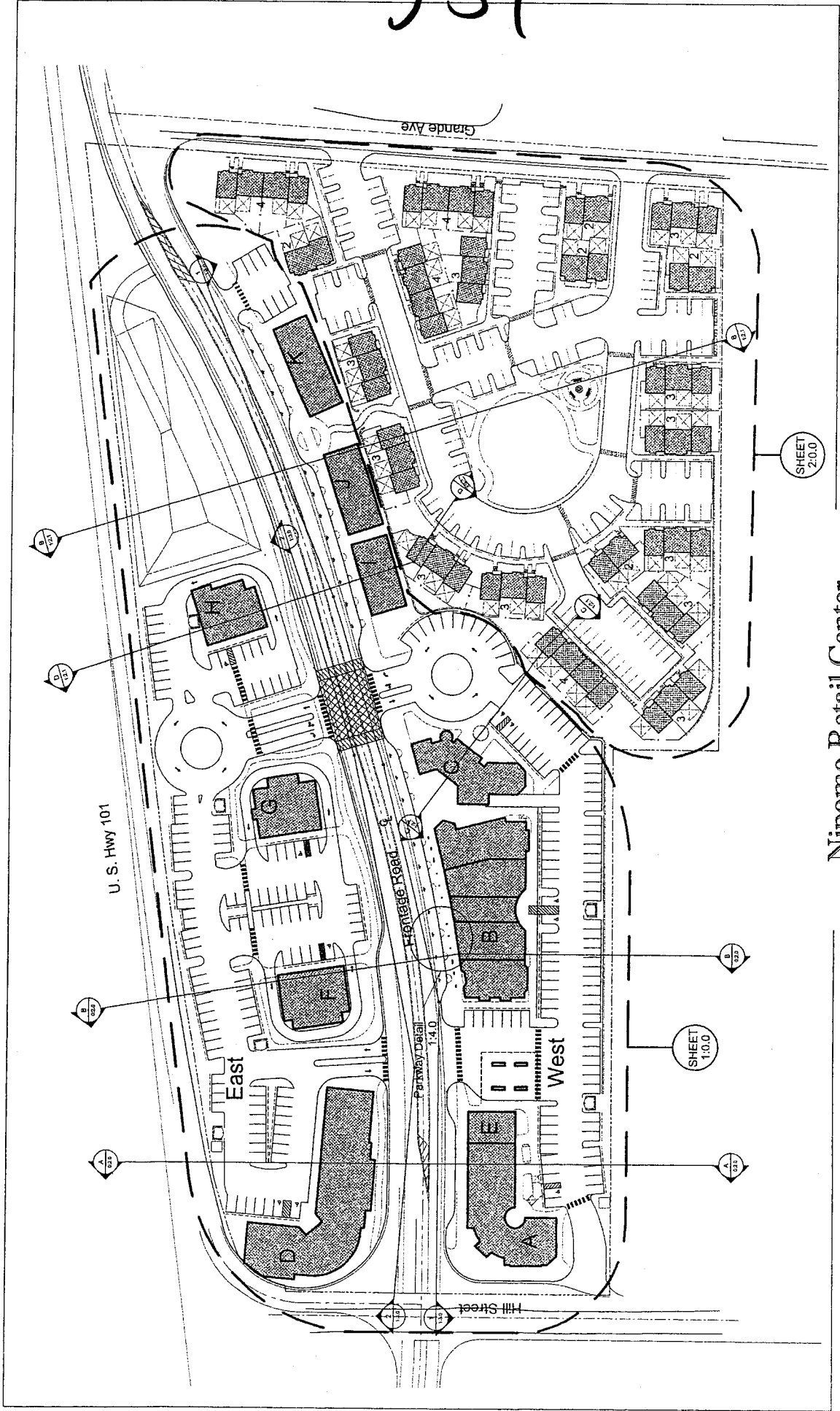
East Foot #	West Foot #	East Foot #	West Foot #
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2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
8	8	8	8
9	9	9	9
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11	11	11	11
12	12	12	12
13	13	13	13
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93	93	93	93
94	94	94	94
95	95	95	95
96	96	96	96
97	97	97	97
98	98	98	98
99	99	99	99
100	100	100	100

[illegible]

Building - K		Real	
3,150	3,150	0	3,150
3,150	3,150		

Office				
--------	--	--	--	--

3-59



Nipomo Retail Center Nipomo, California Site Key Plan

01.0

250 Bridge Street
San Luis Obispo, CA 93401
Phone: (805) 964-0033
Fax: (805) 964-0034
Project North
Scale: 1" = 40'

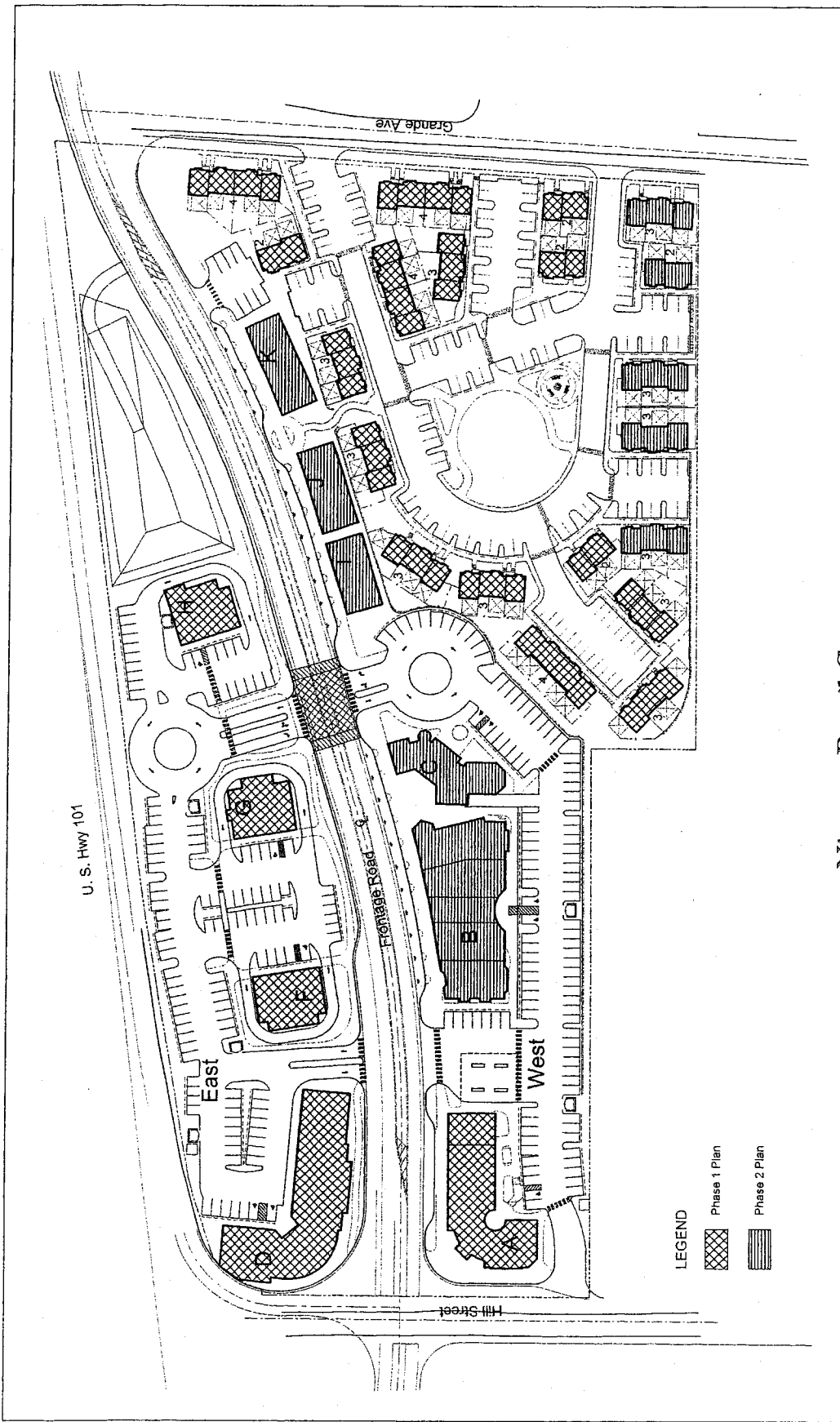
SHEET 2.0.0

Site Key Plan
Plot Date: December 10, 2004
Purpose: Development Plan Submittal
File Name: Master Site Plan.dwg
Layout Name: Site Key Plan

250 Bridge Street
San Luis Obispo, CA 93401
Phone: (805) 964-0033
Fax: (805) 964-0034
e-mail: central@kingdrawing.com



3-60



LEGEND

Phase 1 Plan

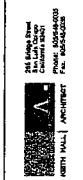
Phase 2 Plan

Nipomo Retail Center Nipomo, California Construction Phasing Plan

255 S. State Street
Nipomo, CA 93441
Phone: 805-735-1234
Fax: 805-735-1235
Website: www.king.com

Phasing plan
Plot Date: November 16, 2004
Project Name: Nipomo Retail Center
File Name: Master Site Plan.dwg
Layout Name: Construction Phasing Plan

By: [Signature]
Reviewed: [Signature]
Approved: [Signature]
Date: 11/16/04



Project North
Scale

01.1

The image displays three site sections, labeled A, B, and E, showing the layout of a property with buildings, parking, and landscaping. Each section is oriented horizontally with a north arrow pointing towards the top of the page.

- Site Section A:** This section shows a property line on the left. From left to right, it includes a parking area, a sidewalk, Building A, a right-of-way, Building D, another parking area, and a proposed on-ramp for U.S. Hwy 101. Landscaping is indicated at the far left and right. A scale of 1:2.0 is noted.
- Site Section B:** This section shows a property line on the left. From left to right, it includes a parking area, a walkway, Building B, a right-of-way, a drive thru, Building F, another drive thru, a parking area, and a proposed on-ramp for U.S. Hwy 101. Landscaping is indicated at the far left and right. A scale of 1:2.0 is noted.
- Site Section E:** This section shows a property line on the left. From left to right, it includes a parking area, a private drive, private open space, a private drive, a tripex, a building, a pedestrian walkway, a right-of-way, a sidewalk, a detention basin, and a proposed on-ramp for U.S. Hwy 101. Landscaping is indicated at the far left and right. A scale of 1:2.1 is noted.

Nipomo Retail Center
Nipomo, California
Site Sections

Site Sections
Plot Date: December 10, 2004
Purpose: Development Plan Submittal
Job Number: 005/02
File Name: Site Sections.dwg
Layout Name: Site Sections 02.0

King
285 Bridge Street
San Luis Obispo, CA 93401
Phone: 805/544-4444
Fax: 805/544-5937
e-mail: direct@kingvolunteers.net

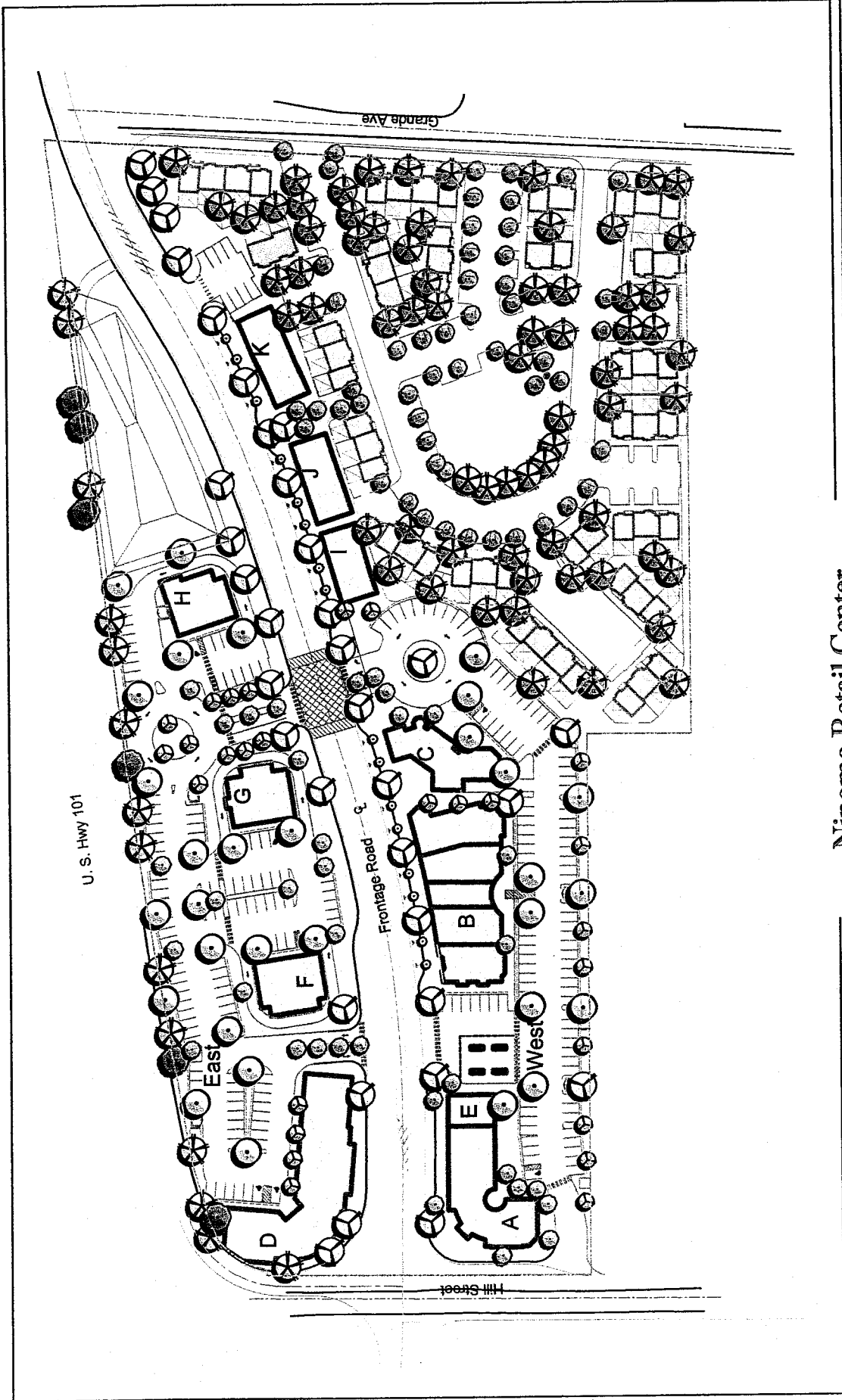
Project North 0 4' 8' 16'

Phone: 805/48-0035
Fax: 805/48-0036
California 94011

KEITH MALL ARCHITECT

020

3-62



Nipomo Retail Center Nipomo, California Conceptual Landscape Plan

L1

100 King Street
Nipomo, CA 93420
Phone: 805/444-4444
Fax: 805/444-4444

K.H.
KERRY HALL ARCHITECT

Project North
Scale: 1" = 40'

King
ARCHITECTS

100 King Street
Nipomo, CA 93420
Phone: 805/444-4444
Fax: 805/444-4444

Landscape Plan
Job No. 004
Proposed: Development Plan (Submitted)
Job Number: 008-00
File Name: Master Site Plan.dwg
Layout Name: Conceptual Landscape Plan

Preliminary Plant List

Highway Screen

[illegible]

Streetscape & Parking Lots

[illegible]

Pedestrian Plaza

[illegible]

Apartments

[illegible]

Nipomo Retail Center
Nipomo, California

Conceptual Plant List & Legend

285 Bridge Street
San Luis Obispo, CA 93401
Phone: 805/544-4444
Fax: 805/544-8637

Plant List & Legend
 Plot Date: December 10, 2004
 Purpose: Development Plan Submittal
 Job Number: 009-00
 File Name: Master Site Plan.dwg

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Volume: Volume

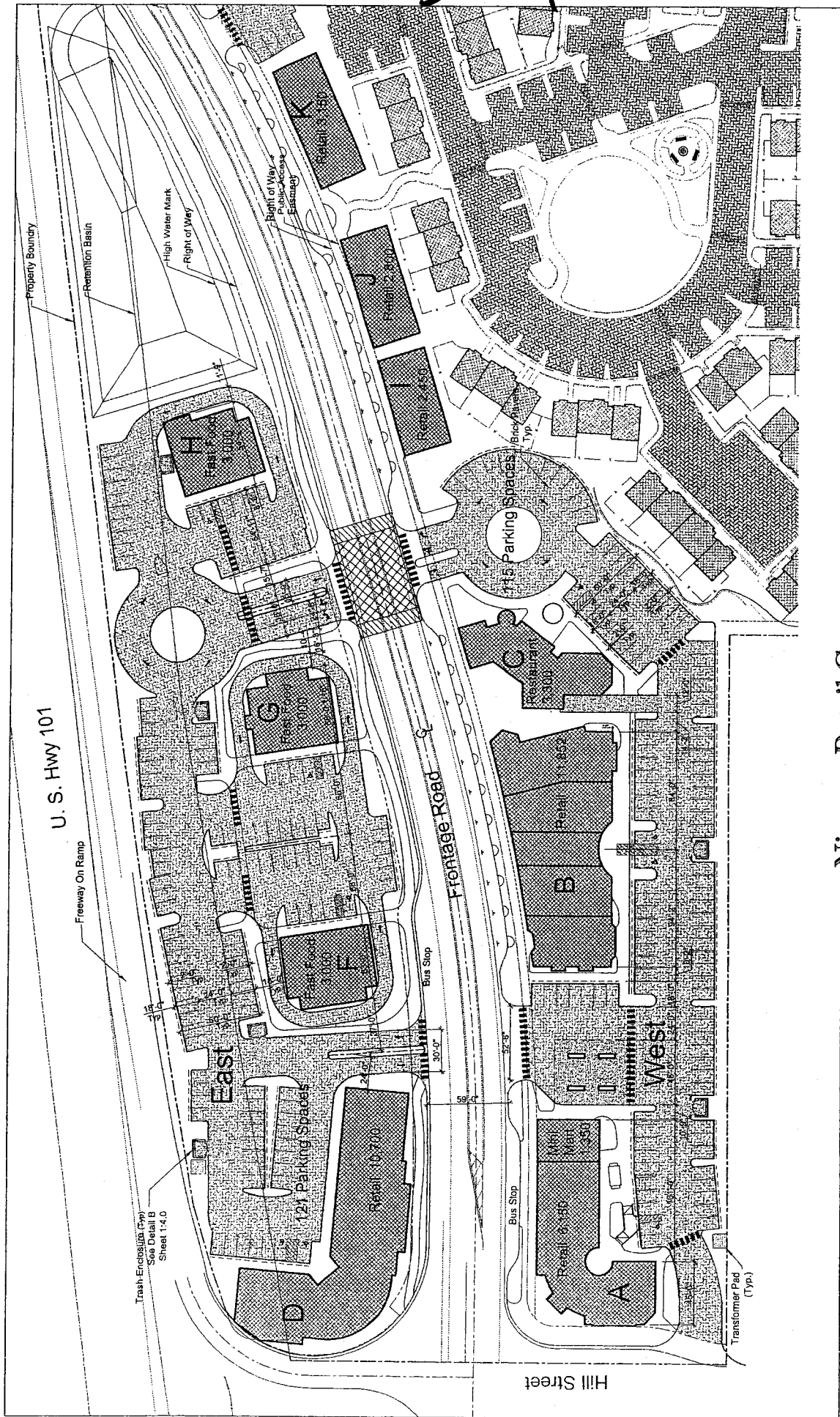
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9781405151853

CONCLUSIONS

Abstract

Shaw-Welch



Nipomo Retail Center
Nipomo, California
Commercial Site 1st Floor Plan

285 Bridge Street
San Luis Obispo, CA 93401
Phone: 805/544-4444
Fax: 805/544-0837
e-mail: dstation@shovent.com

Partial Site 1st Floor Plan
Plot Date: December 10, 2004
Purpose: Development Plan Submittal
Job Number: 009-02
File Name: Commercial Site.dwg
Layout Name: 1st Floor Plan

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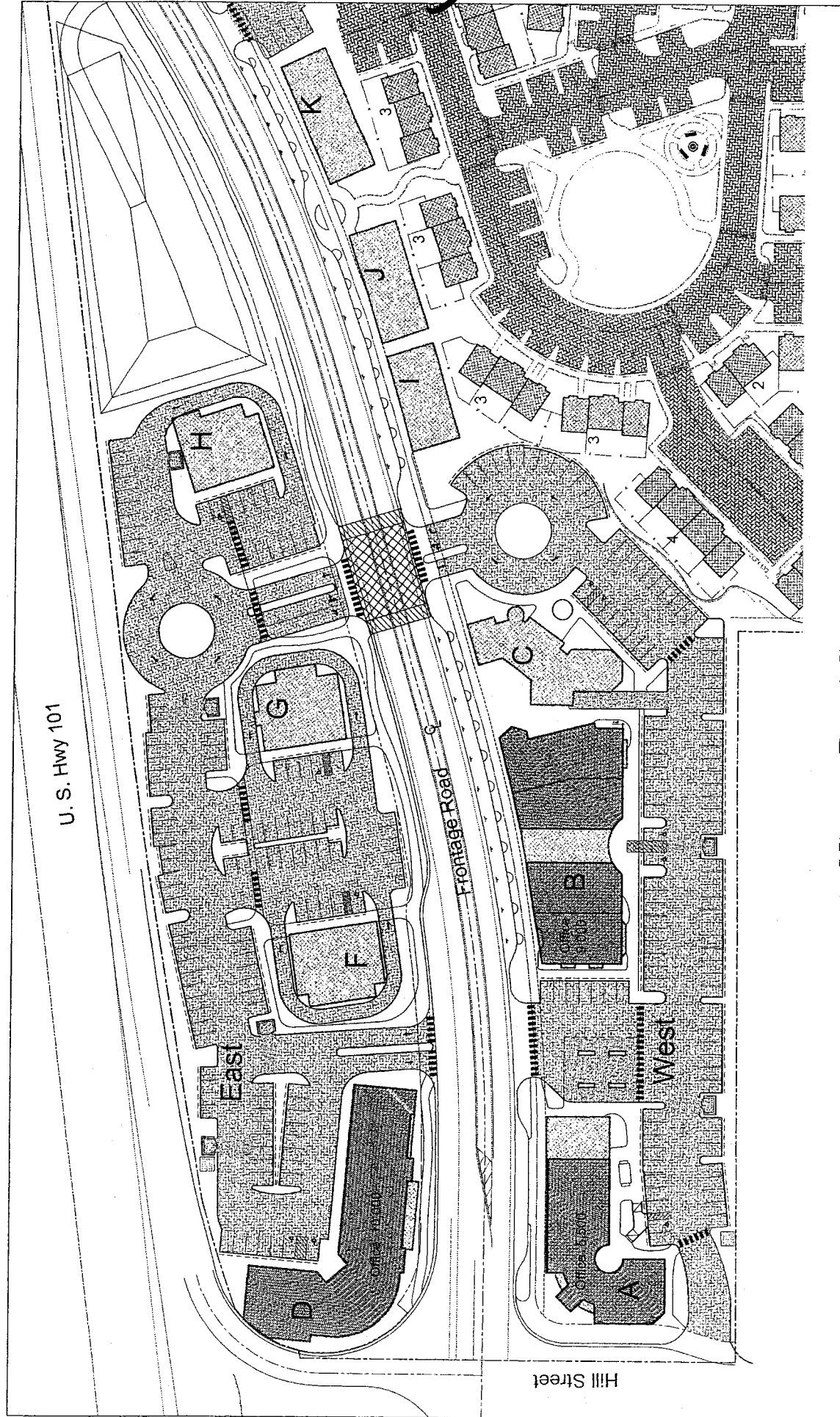
245 Bridge Street
San Luis Obispo
California 93401
Phone: 805/548-0030
Fax: 805/548-0030



KEITH KALL | ARCHITECT

10.0

3-65



Nipomo Retail Center Nipomo, California Commercial Site 2nd Floor Plan

Partial Site 2nd Floor Plan
Plot Date: December 10, 2004
Plot Number: 008.02
File Name: Commercial_Site.dwg
Layout Name: 2nd Floor Plan

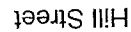
300 King Street
Nipomo, CA 93450
Phone: 805/544-4444
Fax: 805/544-4337
E-mail: ccs@king-street.com

300 King Street
Nipomo, CA 93450
Phone: 805/544-4444
Fax: 805/544-4337
E-mail: ccs@king-street.com

Project North
Scale: 0 15 30 60
Feet

10.1

3-66



KING
UNIVERSITY

285 Bridge Street
San Luis Obispo, CA 93401

Phone: 805/544-4444
Fax: 805/544-5837
e-mail: dean@kinguniversity.net

265 Bridge Street
San Luis Obispo, CA 93401
Phone: 805/544-4444
Fax: 805/544-5537
e-mail: swat@ocdynamics.net

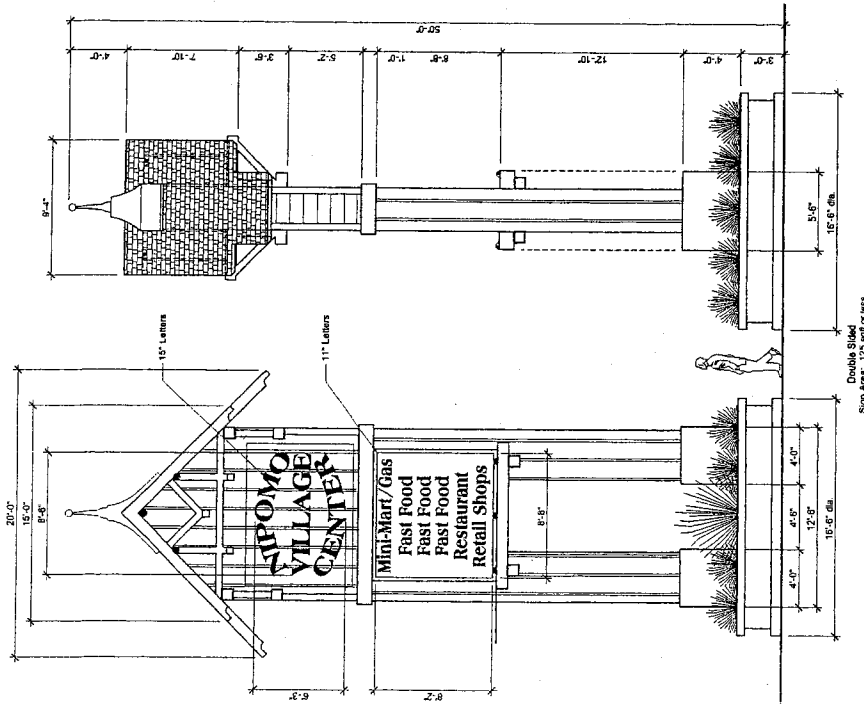
Waste Commercial Center	Bipinge Area		Maximum Allowed Sign Area	
	Signage Type	Signage Area	Signage Type	Signage Area
West Commercial Center	Parcel 60 - D Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 61 Building - 1	151 sq ft	None	None
	Parcel 62 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 63 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 64 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 65 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 66 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 67 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 68 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 69 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
East Commercial Center	Parcel 70 - D Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 71 Building - 1	151 sq ft	None	None
	Parcel 72 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 73 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 74 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 75 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 76 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 77 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 78 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None
	Parcel 79 Frontal - 1st Floor Frontal - 2nd Floor	151 sq ft 40 sq ft 40 sq ft	None	None

[illegible]

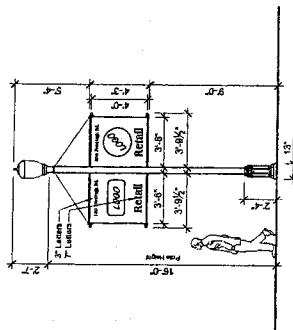
3-67

General Notes:

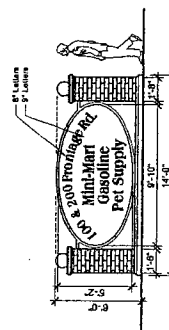
1. Sign Panels and Frames to be cast fiberglass or other polymer with wood grain texture and integral color.
2. Sign letters to be either painted/printed or flat-cut metal with anodized color.
3. Sign font to be American Extra Bold Condensed, approximate size as shown. Actual letter size may vary to accommodate the actual business names of tenants within the allowable sign area.
4. In cases where the tenant's logo incorporates the tenant's business name, the logo only will be used instead of the standard sign font.
5. Sign sizes shown are maximums. Actually sign sizes may be smaller depending on the number of tenants and their signage needs.
5. All signs will be externally illuminated on sign face only.



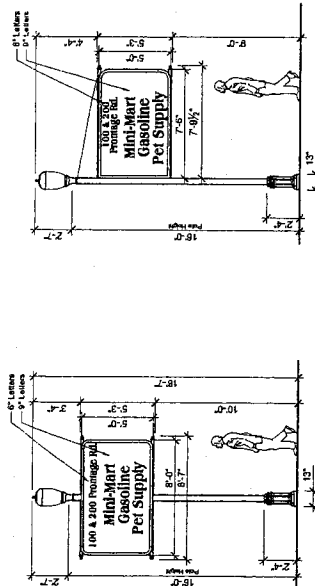
1.0 Freeway Sign for Entire Commercial Project



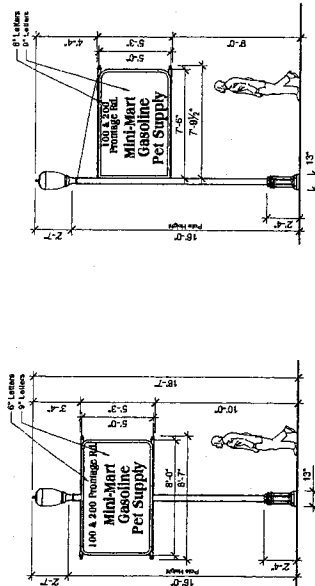
2.0 Small Freestanding Sign for Multiple Tenants



3.0 Monument Sign for Multiple Tenants



4.0 Freestanding Sign for Multiple Tenants Option 1



5.0 Freestanding Sign for Multiple Tenants Option 2

Nipomo Retail Center Nipomo, California Site Sign Elevations

Site Signage Elevations
Prepared: December 7, 2004
Project: Nipomo Retail Center
Job Number: 009-02
File Name: Signs
Layout Name: 1-1.1 Site Signage

245 King Street
San Luis Obispo, CA 93401
Phone: 805/544-4444
Fax: 805/544-6537
E-mail: king@king-signs.com



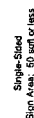
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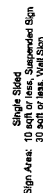
Project North
Scale: 1" = 10'

Scale: 1" = 10'

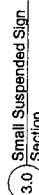
1. Sign Panels and Frames to be cast fiberglass or other polymer with wood grain texture and integral color.
2. Sign letters to be either painted/printed or flat-cut metal with anodized color.
3. Sign font to be American Extra Bold Condensed, approximate size as shown. Actual letter size may vary to accommodate the actual business names of tenants within the allowable sign area.
4. In cases where the tenant's logo incorporates the tenant's business name, the logo only will be used instead of the standard sign font.
5. Sign sizes shown are maximums. Actually sign sizes may be smaller depending on the number of tenants and their signage needs.
5. All signs will be externally illuminated on sign face only.



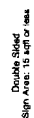
10 Large Wall-mounted Sign



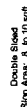
20 Small Wall-mounted and Small Suspended Sign



3.0 Small Suspended Sign



4.0 Small Projecting Sign



Freestanding Sign for Restaurant

Nipomo Retail Center
Nipomo, California
Site Signage Elevations

Building Signage Elevations
 Plot Date: December 7, 2004
 Purpose: Progress Plot
 Job Number: 609-02
 File Name: Signs
 Layout Name: 1-1.2 Building Signage

185 Bridge Street
San Luis Obispo, CA 93401
Phone: 805/544-4444
Fax: 805/544-5837
E-mail: christen@big-aqueduct.com

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KING
A N T H R O P O L O G I C A L
285 Bridge Street
San Luis Obispo, CA
Phone: 805/544-4400
Fax: 805/544-5837
e-mail: dw@king.org

205 Bridge Street
San Luis Obispo
California 93401
Phone: 805/543-0100
Fax: 805/543-0000

Project North
Scale: 1" = 12'

0 4' E

Journal of Management Inquiry

01012050

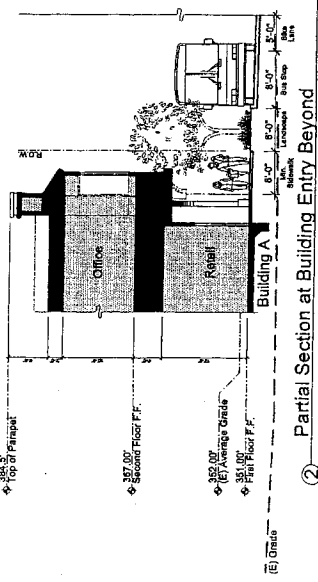
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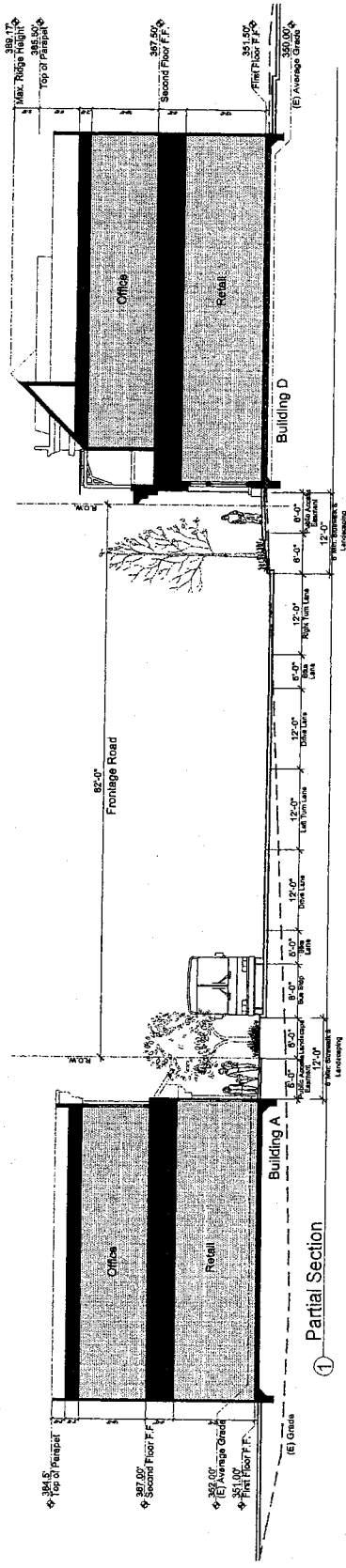
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11.2

3-69

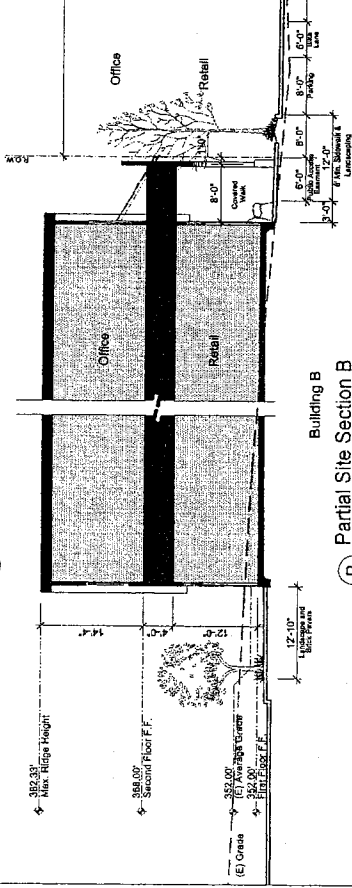


② Partial Section at Building Entry Beyond

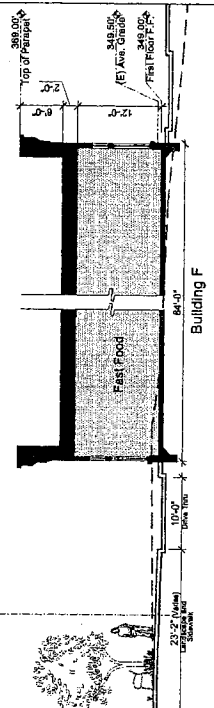


① Partial Section A

Partial Site Section A



Partial Site Section B



Building F

Nipomo Retail Centers Nipomo, California Partial Site Sections

Partial Site Section
Plot Date: December 10, 2004
Purpose: Development Plan Submission
Job Number: 000002
Layout Name: Partial Site Sections.dwg
Author: [Name]
Project Engineer: [Name]
Checked: [Name]
Reviewed: [Name]
Approved: [Name]

250 Bridge Street
San Luis Obispo, CA 93401
Phone: 805/544-4444
Fax: 805/544-4444
Email: [Email]
Website: [Website]

1:2.0

A

250 Bridge Street
San Luis Obispo, CA 93401
Phone: 805/544-4444
Fax: 805/544-4444
Email: [Email]
Website: [Website]

Project North
Scale: 1" = 10'-0"

[illegible]

Nipomo Retail Center
Nipomo, California
Partial Site Sections

Partial Site Sections

Plot Date: December 10, 2004
Purpose: Development Plan Submittal
Job Number: 009-02
File Name: Partial Site Sections.dwg
Layout Name: Partial Site Sections

265 Bridge Street
San Luis Obispo, CA 93401
Phone: 505/544-4444
Fax: 805/544-5537
e-mail: creation@3000volumes.net

12.1

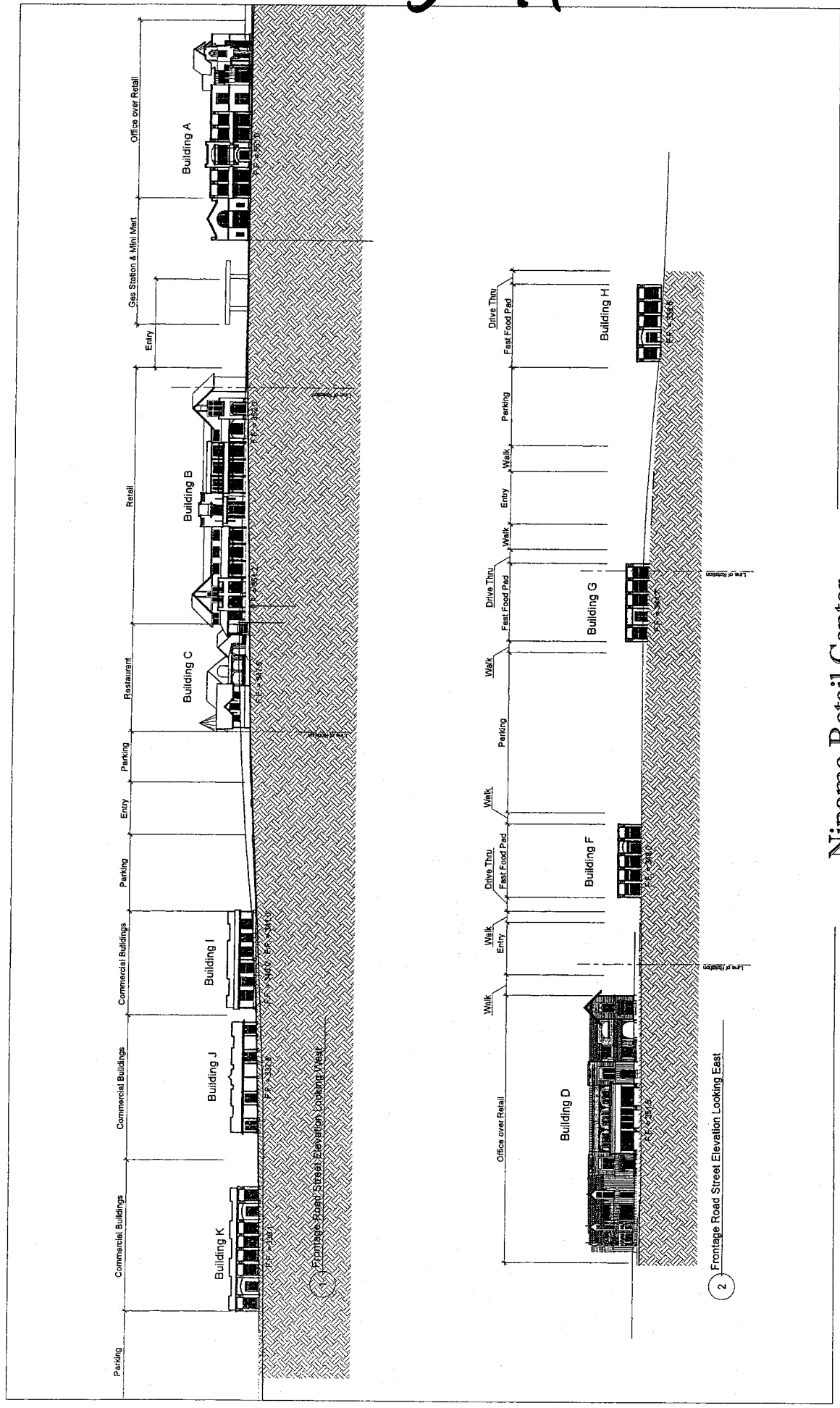
A ARCHITECT
WEST HALL

285 Bridge Street
San Luis Obispo
California 93401

Phone: 805/748-0035
Fax: 805/748-0058

Project North
Scale: 0 3' 6' 12' 0 4' 8' 12'

3-71



King

210 Sojo Street
San Luis Obispo, CA 93401
Phone: 805.466.4444
Fax: 805.466.4444
Email: king@kingarchitect.com

13.0

210 Sojo Street
San Luis Obispo, CA 93401
Phone: 805.466.4444
Fax: 805.466.4444
Email: king@kingarchitect.com

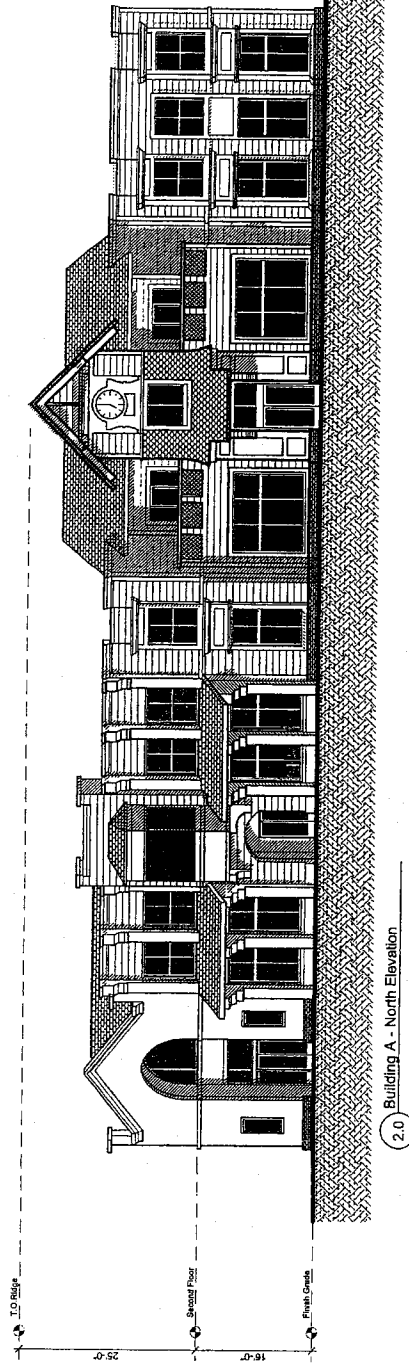
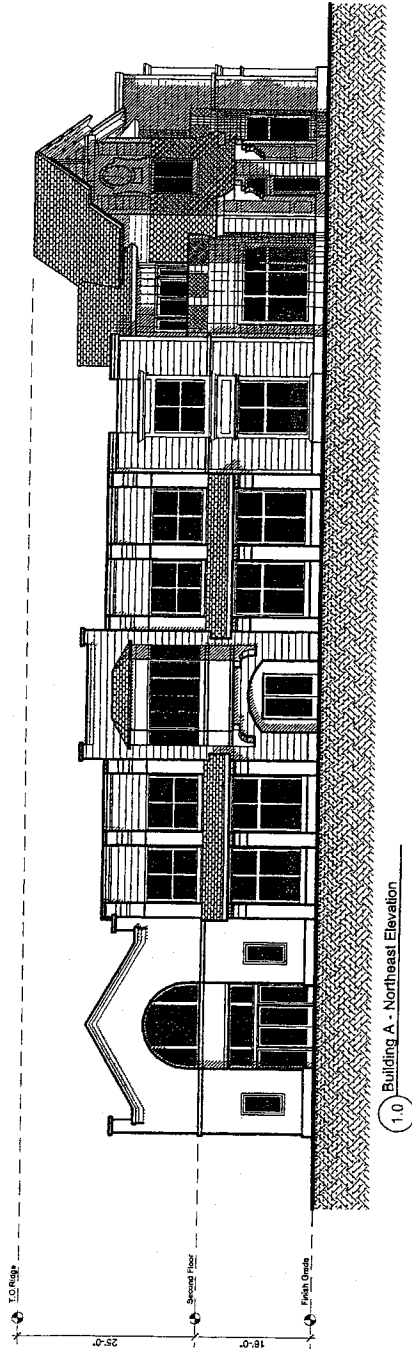
Nipomo Retail Center
Nipomo, California
Street Elevations - West & East

Project North
Scale: 1" = 10'-0"

Street Elevations - West & East
Plot Date: December 10, 2004
Purpose: Development Plan Submittal
File Name: Street Elevations.dwg
Layout Name: Street Elevations - W&E

210 Sojo Street
San Luis Obispo, CA 93401
Phone: 805.466.4444
Fax: 805.466.4444
Email: king@kingarchitect.com

3-72



Nipomo Retail Center Nipomo, California Building A Elevations

Building Elevations
Plot Date: December 10, 2004
Purpose: Development Plan Submittal
Job Number: 008-02
File Name: Bldg-A
Project Name: Elevations
Drawn By: [Signature]

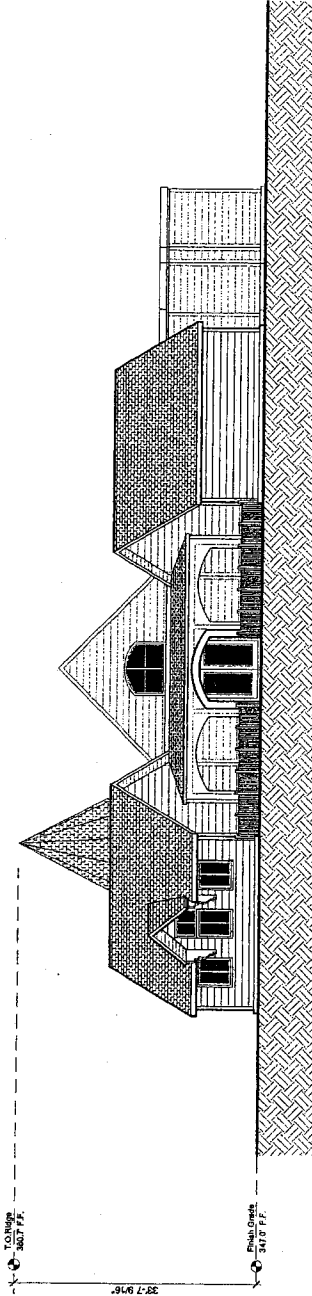
265 Bridge Street
San Luis Obispo, CA 93401
Phone: 805.544.4444
Fax: 805.544.4444
E-mail: [Email Address]

1:3.1

265 Bridge Street
San Luis Obispo, CA 93401
Phone: 805.544.4444
Fax: 805.544.4444
E-mail: [Email Address]

Project North
Scale: 0 3 6 12
Feet

3-73



1.0 Building C - Northeast Elevation

Nipomo Retail Center Nipomo, California Building C Elevation

Restaurant Elevation
 Plot Date: December 10, 2004
 Purpose: Development Plan Submittal
 Job Number: 008.00
 File Name: Bldg C.dwg
 Project Name: Elevation

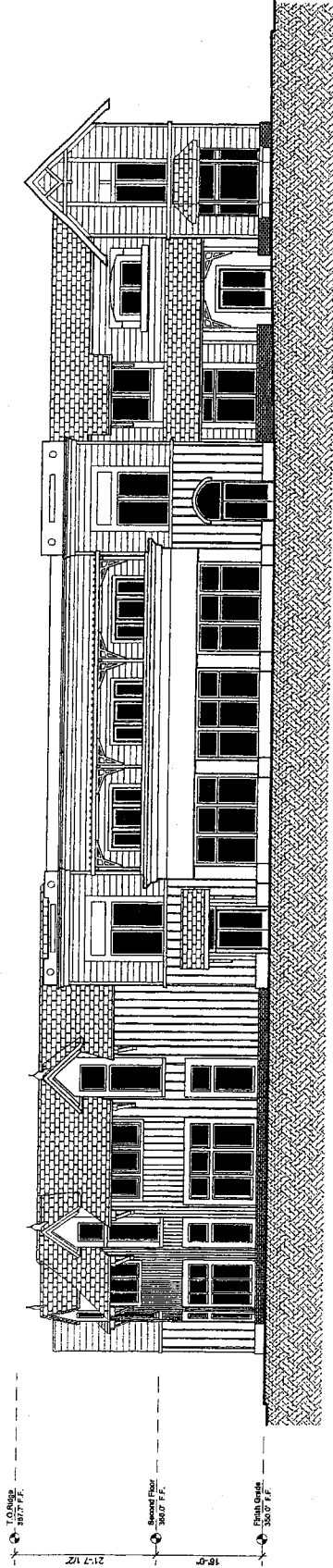
243 Bridge Street
 San Luis Obispo, CA 93401
 Phone: 805/544-4444
 Fax: 805/544-6000
 Email: info@kingarchitect.com



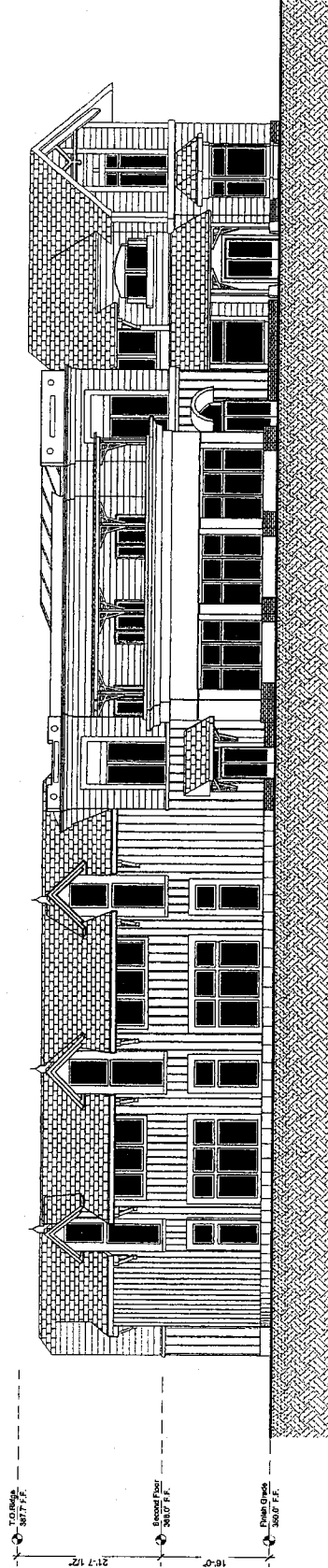
A.
 ARCHITECT
 243 Bridge Street
 San Luis Obispo, CA 93401
 Phone: 805/544-4444
 Fax: 805/544-6000

Project North
 Scale: 1" = 8'-0"

13.3



10 Building D - SouthWest Elevation



Building D - North Elevation

Nipomo Retail Center
Nipomo, California
Building D Elevations

Building D Elevations
Plot Date: December 10, 2003
Purpose: Development Plan Submittal
Job Number: 008-02
File Name: Bldg-D
Layout Name: Elevations

265 Bridge Street
San Luis Obispo, CA 93401
Phone: 805/544-1444
Fax: 805/544-5537
e-mail: dweb@bigdave.com

KEITH MALL | ARCHITECT

A
ARCHITECTS

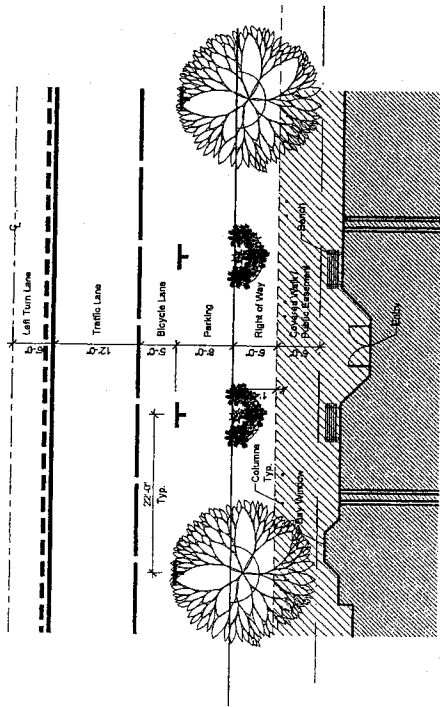
215 Bridge Street
San Luis Obispo
California 93401

Phone: 805-548-0038
Fax: 805-548-0038

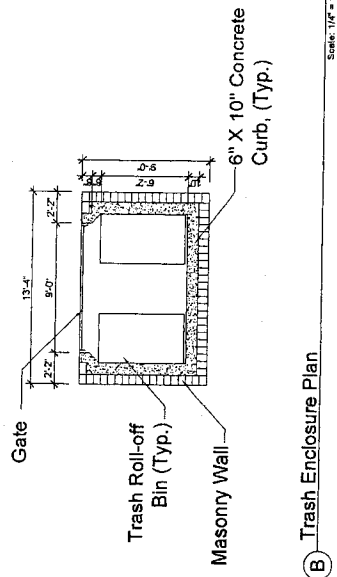
Project North
Scale: 0 3' 6' 12'
0 4' 8' 12'

13.4

3-75



A Conceptual Parkway Plan at Covered Walk



B Trash Enclosure Plan

Nipomo Retail Center

Nipomo, California

Site Details

Partial Site Section
 Plot Date: December 10, 2004
 City: Nipomo, California
 Job Number: 000002
 File Name: Street Frontage Plan.dwg
 Layout Name: Street Frontage Plan

100 South Street
 San Luis Obispo, CA 93401
 Phone: 805.544.4444
 Fax: 805.544.4537
 e-mail: contact@jimpryor.com



245 Ridge Street
 Nipomo, CA 93420
 Phone: 805.544.0000
 Fax: 805.44.0000



Project North
 Scale: 1" = 12'

1:4.0

[illegible]

2 -Duplex
3 -Triplex
4 -Quadruplex

KEITH HALL | ARCHITECT

**283 Bridge Street
San Luis Obispo
California 90401**

**Phone: 805/546-0038
Fax: 805/546-0036**



Nipomo Retail Center
Nipomo, California
Partial Site Residential Plan

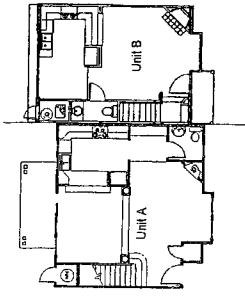
Partial Site Residential Plan
Plot Date: December 10, 2004
Purpose: Development Plan Submittal
Job Number: 006-00
File Name: Sika Plan-Residential.dwg
Layout Name: Partial Site Plan

King
NEW YORK

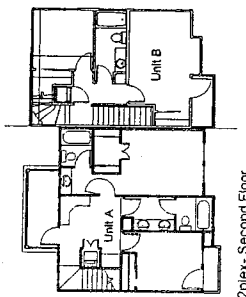
285 Bridge Street
San Luis Obispo, CA 93401

Phone: 805.544.4444
Fax: 805.544.5837
e-mail: info@kingnewyork.com

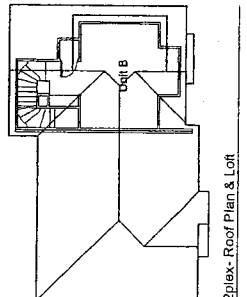
3-77



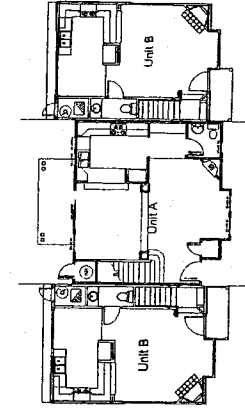
1.0 2plex-First Floor



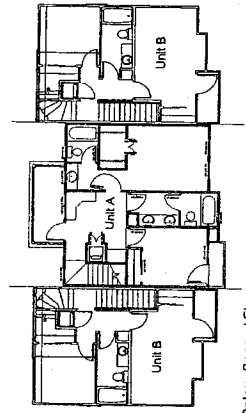
1.1 2plex-Second Floor



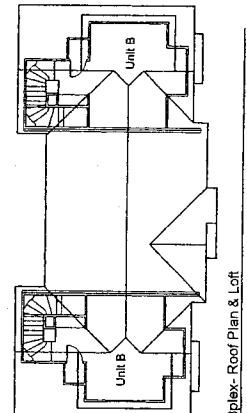
1.3 2plex-Roof Plan & Loft



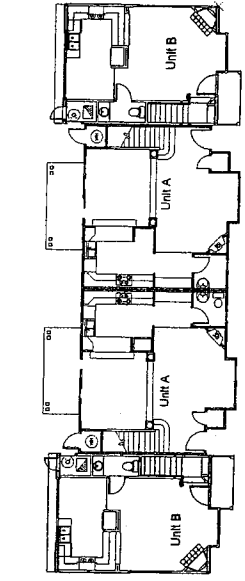
2.0 3plex-First Floor



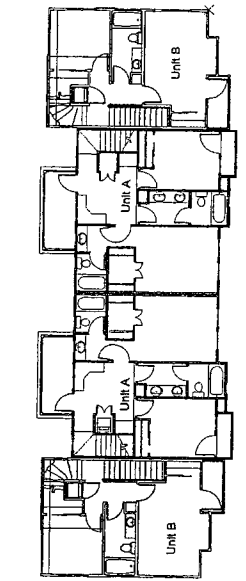
2.1 3plex-Second Floor



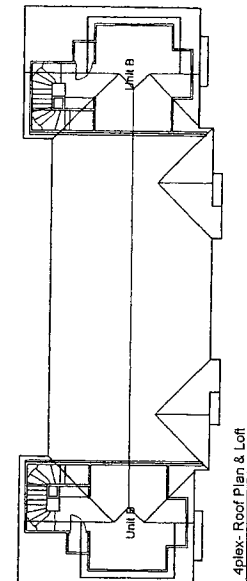
2.3 3plex-Roof Plan & Loft



3.0 4plex-First Floor



3.1 4plex-Second Floor



3.3 4plex-Roof Plan & Loft

Nipomo Retail Center Nipomo, California Unit Plans

King
245 King Street
San Luis Obispo, CA 93401
Phone: 805.761.1444
Fax: 805.761.1445
Email: king@kingdesign.com
Web: kingdesign.com

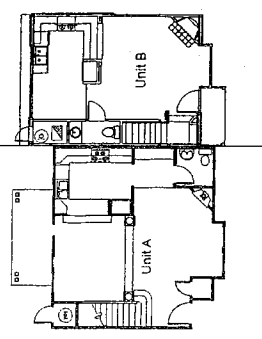
Floor Plans
Proj. No.: 00000000-10-1004
Purpose: Development Plan (Bldg.)
Scale: 1/8" = 1'-0"
Legend: Name: Floor Plans

For more info, see the project description.
These plans are for informational purposes only.
They are not to be used for construction without the
approval of the local building department.
The owner is responsible for obtaining all necessary
permits and for ensuring that the plans comply with
all applicable codes and regulations.

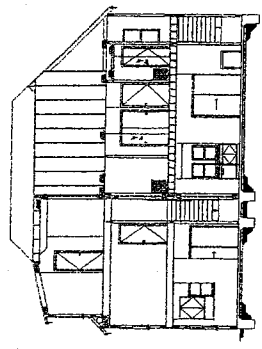
2 1.0

Project No.: 00000000-10-1004
Scale:

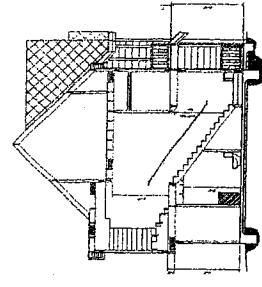
3-78



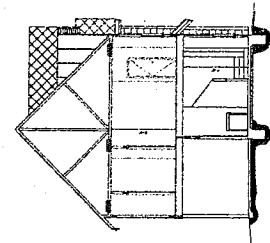
1.0 Unit Sections



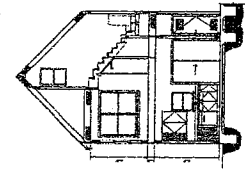
1.1 Section A - A



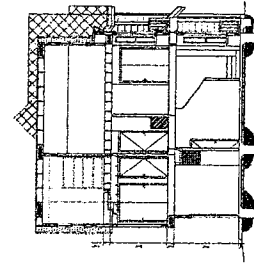
1.2 Section B - B



1.3 Section C - C



1.4 Section D - D



1.5 Section E - E

Nipomo Retail Center Nipomo, California Sections

Sections
 Plot Date: December 10, 2004
 Plot Number: 008.00
 File Name: Building Plans.dwg
 Layout Name: Building Sections

King
 255 S. Main Street
 San Luis Obispo, CA 93401
 Phone: 805.441.4444
 Fax: 805.441.5837
 e-mail: king@king-engineers.com

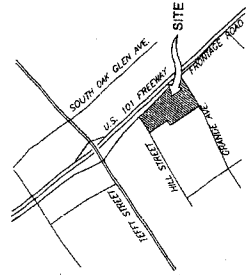


Project North
 Scale:

22.0

3-80

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VICINITY MAP

LEGEND

- BOUNDARY
- PROPOSED FRONTAGE LOT LINE
- EXISTING LOT LINE
- STRUCTURES AND RESERVES
- AREA OF ROAD WIDENING

PROJECT DATA

1. PROJECT ADDRESS: 10000 GRAND AVENUE, LOT 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

NOTES

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3. ALL INTERIOR DIMENSIONS AND PERIMETERS ARE PRIVATE.
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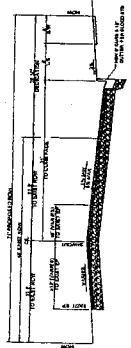
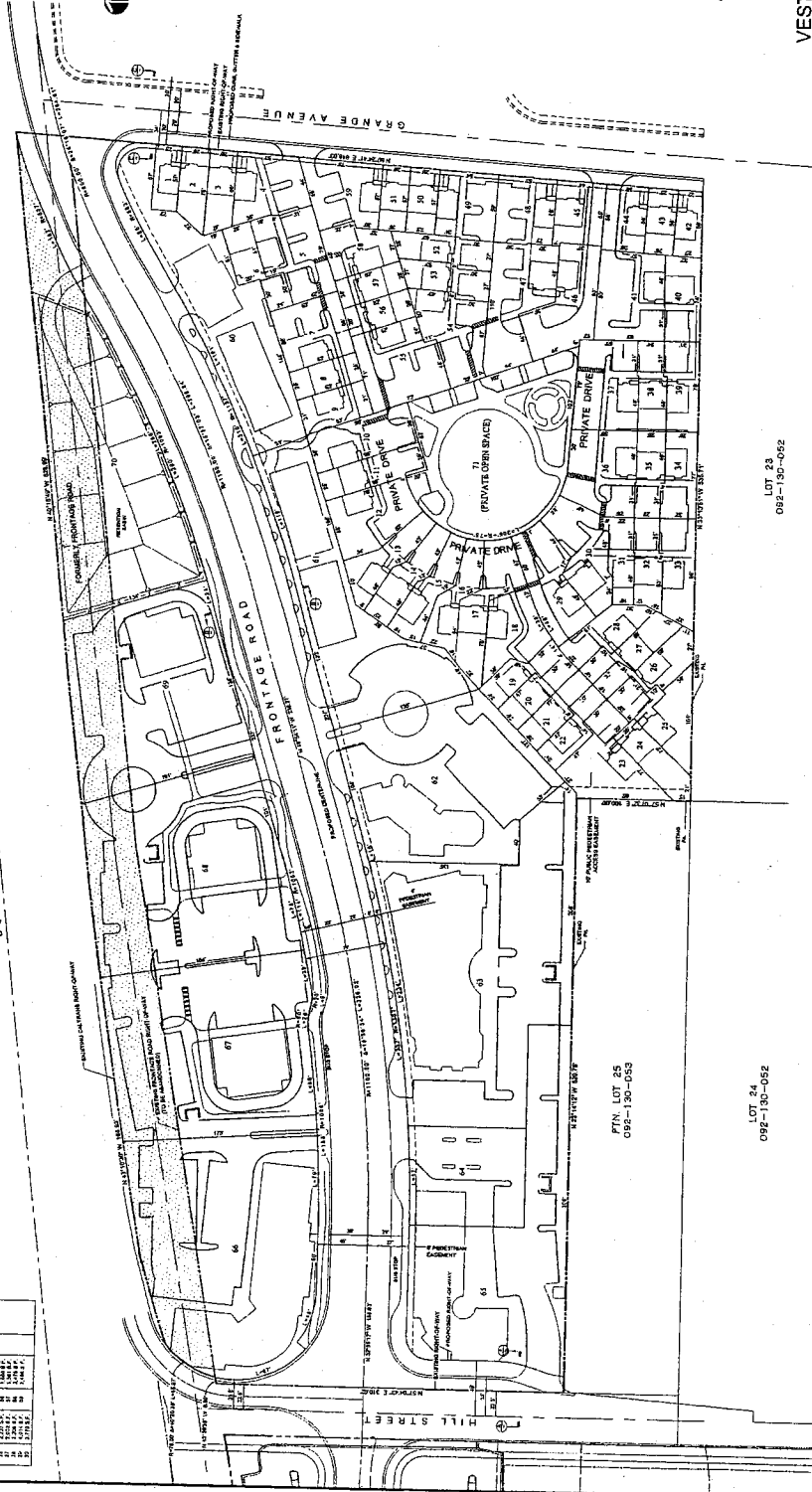


VESTING TENTATIVE TRACT 2312
FOR
NIPOMO RETAIL CENTER
IN THE UNINCORPORATED TERRITORY
OF THE COUNTY OF SAN LUIS OBISPO,
CALIFORNIA
BEING A SUBDIVISION OF A PORTION OF THE AREA
SHOWN ON MAP RECORDED IN BOOK 4 OF MAPS AT
PAGE 100 OF THE COUNTY RECORDS OF SAN LUIS OBISPO
COUNTY, CALIFORNIA
PREPARED BY: [Signature]
DATE: [Date]

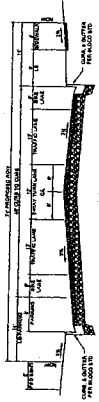


eda
200 Main Street
San Luis Obispo, CA 93401
Tel: (805) 781-1111
Fax: (805) 781-1112
www.eda.com

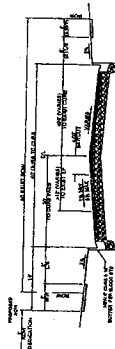
US HIGHWAY 101



TYPICAL ROAD WIDENING SECTION: HILL STREET

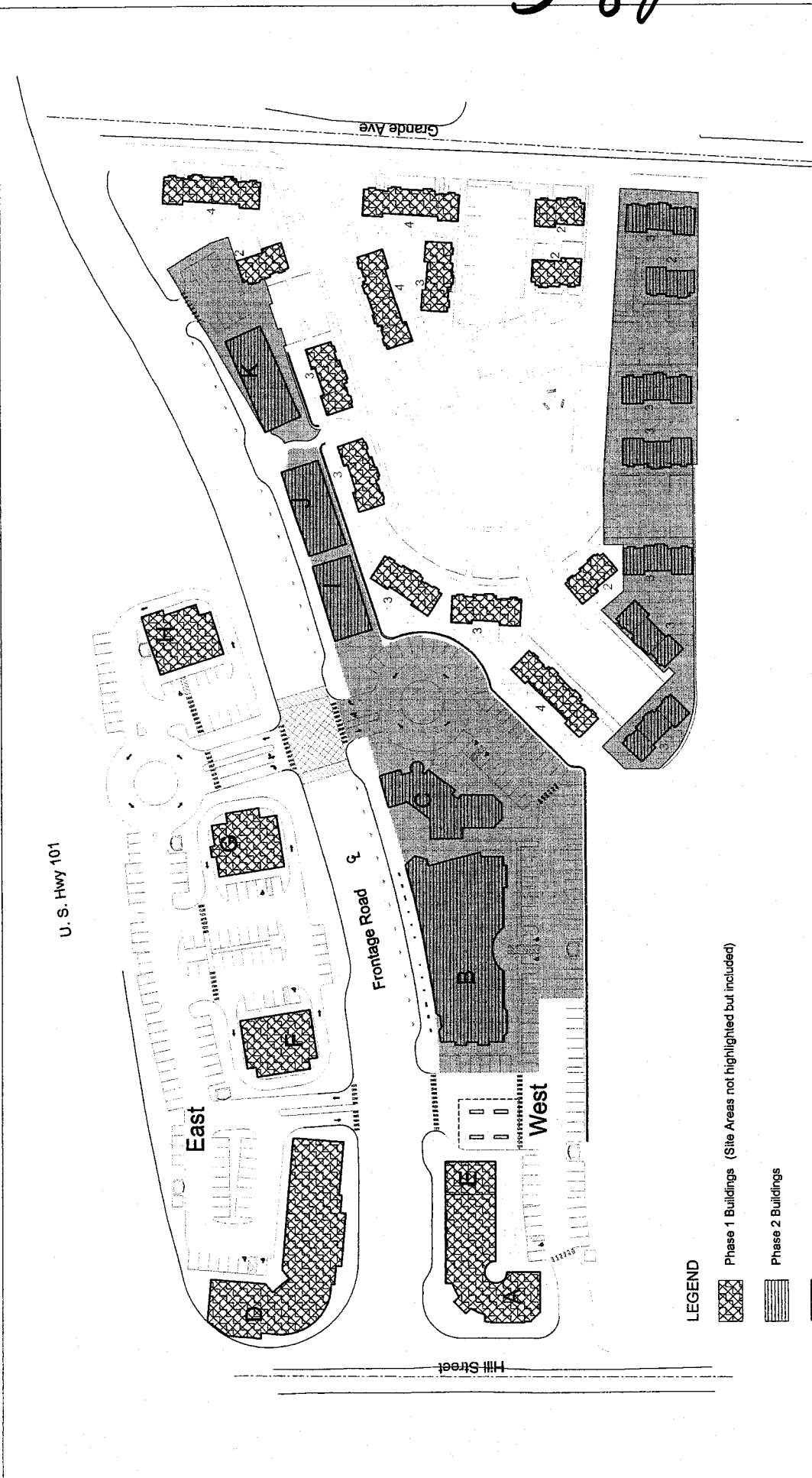


TYPICAL STREET SECTION: FRONTAGE ROAD



TYPICAL ROAD WIDENING SECTION: GRAND AVENUE

3-82



Nipomo Retail Center

Nipomo, California

Construction Phasing Plan

01.1

200 Bridge Street
San Luis Obispo, CA 93401
Phone: 805-964-0300
Fax: 805-964-0301
www.king-engineers.com

Project North
Scale:

Phasing plan
Plot Date: May 28, 2003
Purpose: Revised County
Application, Revised Construction
File Name: Nipomo Site Plan.dwg
Layout Name: Construction Phasing Plan

200 Bridge Street
San Luis Obispo, CA 93401
Phone: 805-964-0300
Fax: 805-964-0301
www.king-engineers.com

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